

Second Nature and Ethical Life:
Habit, Culture, and Critique in Hegel's Science of Right

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Submitted in partial fulfillment of the
requirements for the degree of
Doctor of Philosophy
in the Graduate School of Arts and Sciences

COLUMBIA UNIVERSITY

2012

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ABSTRACT

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My dissertation investigates the status of reflection in Hegel's account of modern ethical life. I ask, on the one hand, why Hegel places so much significance on unreflective attitudes, and on the other, which forms of reflection remain compatible with what he calls the habit of the ethical. This question exposes crucial commitments underlying Hegel's project in the *Philosophy of Right* and interrogates the flexibility of his account and its openness to normative change. Yet my inquiry also has broader implications for the nature of social criticism. I argue that even reflection of the overtly critical variety emerges from and remains indebted to our habitual comportment and that this is why it must retain a valued place in ethical life.

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Abbreviations

- PR *Grundlinien der Philosophie des Rechts* (Frankfurt am Main: Suhrkamp)
- PG *Phänomenologie des Geistes* (Frankfurt am Main: Suhrkamp)
- E1 *Enzyklopädie der philosophischen Wissenschaften I* (Frankfurt am Main: Suhrkamp)
- E3 *Enzyklopädie der philosophischen Wissenschaften III* (Frankfurt am Main: Suhrkamp)
-
- VRP *Vorlesungen über Rechtsphilosophie: 1818 – 1831* (Band 1), edited by Karl Ilting
(Frommann-Holzboog)
- VPR *Vorlesungen über die Philosophie des Rechts: Berlin 1819/1920* (Hamburg: F. Meiner)
- VPG *Vorlesungen über die Philosophie der Geschichte*, edited by E. Gans and K. Hegel (Duncker
& Humblot)
- VA *Vorlesungen über die Aesthetik: Berlin 1820–1821*, edited by H. Schneider (Peter Lang)
-
- LNR *Lectures on Natural Right and Political Science: The First Philosophy of Right*, translated by J.
M. Stewart and P. C. Hodgson (University of California Press)
- NL *Natural Law: The Scientific Ways of Treating Natural Law, Its Place in Moral Philosophy, and
Its Relation to the Positive Sciences of Law*, translated by T. M. Knox (University of
Pennsylvania Press)

Acknowledgments

Writing a dissertation is largely a solitary endeavor, more so than one might initially suspect. In this process I learned something that seems rather obvious in retrospect, that the more immersed you become in an increasingly focused set of texts, discussions, questions, and terms, the fewer companions you are bound to retain along the way.

This is in part the reason I feel such great gratitude to my “Doktorvater” Fred Neuhouser. He has seen me through every step of this project while granting me all the space I needed to develop my ideas and even welcoming any objections I may have had to his own. More concretely, he has commented on countless drafts of chapters, and offered to discuss the *Phenomenology of Spirit* with me on a biweekly basis while I was formulating the topic of my dissertation. Since his lectures on social philosophy I attended seven years ago, he has been the most significant role model in my academic life. I am struck again and again by his truly unparalleled intellectual virtues, his unwavering clarity of mind and commitment to straddling that fine line between precision and significance. I am always grateful when I get to admire these qualities of his from a distance, but I have been all the more grateful for this opportunity to benefit from them directly. In the early months of writing he told me that the more time I spend with Hegel, the more I will grow to trust him as a philosopher. I have found this to be true not only of Hegel – though very much of Hegel – but no less of Fred himself.

I am likewise deeply indebted to Wolfgang Mann for his consistent support. I looked to him in moments of external and internal disorientation and he has always been present and prepared. But he has played more than the part of counselor, for he has also been a formative interlocutor for me, one with a refreshingly open mind. Given his rare range of interests, conversations with him guided me in unexpected directions and provoked

me to take risks. I aspire to the adventurous spirit he is able to nurture within the confines of academic philosophy. On the other end, he prompted me to raise my scholarly standards and invest care into my translations and footnotes. But perhaps most importantly, I have benefited from a kinship in outlook and attunement in intuition that made conversations with him at times easier, at times considerably more demanding. I have always considered myself very lucky for having found an ally like Wolfgang.

I would also like to thank Katja Vogt on many fronts. Even though our perspectives on philosophical matters tend to differ, I am grateful for her generosity in offering me hers. She has pushed me to reflect on my presuppositions on deeper grounds and I have come to appreciate her challenges to me as well as her distinct approach to philosophy. In particular, she provoked me to clarify the role of the Greeks for Hegel by raising questions about his view of them. She has also counseled me wisely on practical matters and helped me find my professional orientation on numerous occasions, by putting me in touch with her colleagues in Berlin, as well as by helping me prepare for interviews.

The year I spent in Germany on a DAAD fellowship was a significant turning point for my project, largely due to the new interlocutors I was fortunate to meet. Rahel Jaeggi stands out as a remarkably welcoming host and inspiring philosopher. Given the proximity of our interests, encountering her work compelled me to become more precise, especially in my characterization of “immanent critique”, and I learned immeasurably from reading her manuscript, talking to her in her office as well as at the “Stabi”, and participating in her colloquium. The feedback she and her team have been me has been among the richest I have yet received. In Germany I also had a chance to meet Axel Honneth and to receive valuable feedback from him. I have found him to be a rare critic who does not get derailed by details but cuts to those problems at the core of a view, while willing to take it on its own

terms, even when he does not share it. The problems he has raised for me have already shaped the pending direction of my research, and I can only imagine what future projects further conversations with him might inspire. A special thanks goes out to Rolf-Peter Horstmann for reviving my excitement in the possibilities of philosophy through the ways he thinks and lives.

I benefitted greatly from conversations with friends and colleagues, even when the word was not about Hegel per se. I thank Nandi Theunissen, Karen Ng, Oksana Maksymchuk, Felix Koch, Dirk Quadflieg, Alex Madva, Michael Seifried, Michael Stevenson, Matt Congdon, Scott Shushan, Jon Burmeister, and Daniel James for those conversations. I would like to thank Katie Gasdaglis in particular for all of the help she has given me in developing nearly every aspect of this project. And I would like to thank Terry Pinkard for reading parts of my dissertation, and Michael Baur for agreeing to serve as an examiner on my committee. Finally, I thank my husband Tyler Whitney for being my partner in every respect during this process, and my parents Lidija and Ivo Novakovic for their love and support.

Introduction

This ethical life, which reflection may consider to be particularity, is not something positive, or opposed to the living individual which is thereby tied to chance and necessity, but is alive.”¹

The question that I pose to Hegel in this study is in the first instance not one that Hegel himself seems to ask, at least not in its initial formulation. I want to know how Hegel conceives of our *ordinary* perspective when we are faced with the distinctly practical task of finding our way about in our social world. Hegel is very interested in our social world, but he approaches it from a highly *philosophical* standpoint. Whatever it is that he thinks this standpoint has to tell us, it clearly differs from the one we occupy when we engage in

¹ NL, 126.

various forms of evaluation, whether in order to determine what to do or what to continue doing. This may sound like a question that Wittgenstein might have asked of Hegel, had he been interested in hearing his answer. And Wittgenstein is admittedly an inspiration and a largely tacit interlocutor for me.

At the same time, it is not a question that falls outside of Hegel's project, especially not outside of the *Philosophy of Right*, where Hegel delivers such a philosophical account of our social world. As unparalleled as his ambitions there may be, he claims that he is in a significant sense merely explicating this ordinary perspective. In fact, he suggests that it is only philosophy of the sort he himself practices that can explicate this perspective in a way that does not distort it beyond recognition. Upon closer examination we discover a surprising thesis spanning this text, namely, that it is only our most ordinary of perspectives as well as our most philosophical that can do justice to the nature of what he calls modern "ethical life" (*Sittlichkeit*). Everything else is a product of the "restless activity of reflection and vanity" (PR, 17).

He advances this thesis obliquely, in a passage that may initially look like a devaluation of a point of view that remains embedded within ethical life. As he puts it,

That relationship, or rather that relationless identity, in which the ethical is the actual vitality [*Lebendigkeit*] of self-consciousness, may indeed turn into a relationship of belief and conviction, or a relationship mediated by *further reflection* into insight through reasons, which may also begin with certain particular ends, interests, and considerations, with hope or fear, or with historical presuppositions. But *adequate cognition* of it [this relationship] belongs to conceptual thought [*dem denkenden Begriffe*]" (PR §147).

We might suspect that Hegel is here ranking different attitudes that someone could adopt toward the ethical laws that structure the social world. The lowest is the one in which we fully identify with the laws we live by, in fact identify with them so thoroughly that these

laws simply are our way of life. A more advanced attitude is one that is also more reflective, first attaining to the level of belief or conviction in their goodness, and next rising even higher, to an insight grounded in reasons as to why we should consider them good. The highest is the cognition that belongs to conceptual thought, a form Hegel associates with philosophy.

But it is misleading to assume that mediation through *further reflection* constitutes an advance in Hegel's eyes. He might be implying that these reflective stages are all necessary in order to arrive at philosophical cognition, but this does not mean that they are necessarily better than the stage at which we began. There are even reasons to suspect that these reflective stages mark levels of distortion that only a philosophical account can mend.² But what the philosophical account is ultimately an account *of* is our embedded starting point, so the relation we had to our social world prior to reflection. Hegel calls it a relation-less identity and suggests that "conceptual thought" is the only form of reflection that can come to know it in a way that is adequate to it.

The following is an attempt to get a hold of these two ends of the spectrum, so to grasp what kind of relation to ethical life each of them entails. My first task is to explain why Hegel in a sense prioritizes less reflective attitudes over those that are more reflective. In particular, I have set myself the task of explaining why Hegel wants to rehabilitate the notion of habit. Is habit really in tension with the seeming benefits of reflection? Do we

² It may be difficult to see how an insight based on reasons would not constitute an advance over an unreflective attitude. But note the kinds of reasons Hegel associates with this supposed insight – reasons such as particular ends, interests, hope, fear, and historical presuppositions. This suggests that Hegel thinks this stage of "further reflection" introduces considerations that are in some sense external to the law in question. It provokes us to answer the question as to why we should follow this law not by looking at its internal justification, but by searching out ways it promotes our self-interest.

really need to reflect in order to achieve a conviction in or an insight into the goodness of our ethical laws? These are the questions that will help us define the ordinary end of the spectrum, since the embedded perspective is one that Hegel seems to associate with habitual conduct. Those who inhabit ethical life, especially those who do so fully, typically do not reflect about the ethical laws expressed in what they do.

But I think Hegel's account of habit, as compelling as it may be, would not be enough to demonstrate that Hegel's conception of our ordinary perspective is worth exploring. What makes this conception especially distinctive, I think, is not its emphasis on the unreflective per se, but precisely its incorporation of reflection in a variety of ways. So we must be careful not to assume that Hegel thinks the only way we relate to ethical life is unreflectively, or that every instance of reflection can only obscure this relation from view. A significant portion of my study is thus devoted to investigating those modes of reflection in which Hegel thinks we do – and should continue to – engage.

In addition to the ordinary, there is another interest at stake for me, an interest in the *vitality* of ethical life. As the above epigraph indicates, Hegel conceives of ethical life as in some sense living. He means this in more than a metaphorical sense, for life according to Hegel is marked by as a specific structure and processes that even a social order can display. So a question worth raising is what imbues modern society with life and ensures its longevity. I think part of the answer is habit, for Hegel thinks that a form of life comes to life, so to speak, precisely when its ethical laws have “struck root” in us, when they are incorporated into our second nature. But what we find is that habit can also usher in the death of ethical life. Hegel frequently characterizes a dead society in

terms of “positivity,” which suggests that its ethical laws have ossified and their adherents grown indifferent to them, both of which seem to be side effects of excessive habituation.

Since there seems to be some connection between them, the needed “negativity” must come in two forms – as an element of flexibility in the social *structure* and as the presence of *processes* that revive our commitment to its perpetuation. Both of these are bound up with reflection, since it is reflection that has the power to shape both ethical laws as well as our attitude toward them. In short, reflection looks to be integral to any form of life that is living, including modern ethical life. This to me suggests that a form of reflection, which avoids merely distorting ethical life, cannot be the exclusive possession of philosophy. To put this in positive terms, there must be valuable forms of reflection “always already” at work in our ordinary modes of social engagement. Once I have clarified the status of our unreflective attitudes in Hegel’s estimation, I turn to these other modes, showing that they can range from the broadly evaluative and primarily affirmative to the overtly critical. It is the latter mode that is also the most contentious, because it may look like Hegel wants to preclude the possibility of criticism, both for us as social participants, but also for himself as philosopher. In short, it looks like neither of us is in a position to criticize the social world, even if for different reasons.

My way of addressing this question is indirect. Instead of trying to find traces of critique within the *Philosophy of Right* itself, I focus instead on certain points of connection between this text and an earlier one, the *Phenomenology of Spirit*. As I admit, this is a controversial strategy because the two texts appear at first sight to differ in subject and method. In fact, Hegel gives us reasons to think that the *Phenomenology* could not be brought to bear in the way I propose because it is not yet part of his “system,” merely a

prelude to it, whereas the *Philosophy of Right* is. Although I do not defend this strategy in the abstract, I am hopeful that my reading of various chapters from the *Phenomenology* will demonstrate its relevance for at least Hegel's account of modern ethical life. So a substantial part of this study will consist of an exploration of the analogies between these two texts. The philosophical reason for pursuing such textual analogies has to do with the question of critique that the *Phenomenology* foregrounds. It is concerned, among other things, with the ways various historical societies have come to criticize their own ways of life. My aim is to show that, even if the modern social order lacks their structural shortcomings, these processes of contestation and reform remain vital in it.

This study is divided into four chapters, each addressing an increasingly more robust form of reflection within and about modern ethical life. In the first chapter I focus on the nature of habit in order to assess its ethical status. Although habit itself is not yet a form of reflection, it bears on reflection in a range of ways, most notably by granting us the needed distance from our nature that allows us to become reflective about those aspects of ourselves that appear fixed. But habit also exhibits limitations that require supplementation. Thus the second chapter addresses a reflective activity that I think has the function of curbing the perils that accompany all habit, including the habit of the ethical. It is an activity that Hegel associates with *Bildung*. As I argue, we engage in this activity in all "cultural" participation, which is in turn an essential ingredient in social life. What this shows is that we need to affirm the customs we perpetuate if we want to prevent them from turning into "positive" fossils.

What this does not show, however, is that we need to (or even can) *object* to customs as in need to change. I concede that this formulation is a bit misleading, because

cultural reflection can have transformative effects on custom, even though these transformations are so pervasive that they happen as if behind our backs. But the question still remains how we might overtly criticize a given custom. What could occasion such criticism and to what grounds could we appeal when doing so? Actually, the question is even more difficult than this makes it sound: how might we criticize not only a way of life for failing to live up to the ethical law to which it claims to be committed, but this very law itself? This I address in the third chapter.

I framed this study in terms of a contrast between the ordinary and the philosophical standpoint, indicating that they are not to be collapsed into each other. One significant difference between them has to do with this issue of critique. Even if it turns out that Hegel does think that we can criticize ethical life, he definitely does not think that philosophy should be entangled in this business in any direct way. So the question remains what philosophy has to offer us, those living inside ethical life and coping with its internal challenges at various reflective levels. Although this is the final question to which I turn, its answer bears retrospectively on the preceding chapters because it clarifies what kind of project Hegel is even engaging in – whether he himself is merely describing our ordinary relation to ethical life, or whether he is in fact evaluating it.

Since I will be citing from multiple texts and lectures, I should add that I translated the quoted passages, unless otherwise noted. But I translated the passages from the *Philosophy of Right* and *The Phenomenology of Spirit* with the assistance of those done by H. B. Nisbet and A. V. Miller.

Chapter 1

Habit

Of all of Hegel's purportedly necessary transitions,³ there seems to be something especially disconcerting about the one from "Morality" to "Ethical Life" in his *Philosophy of Right*. Although in this transition we first enter into an objectively rational social order, it seems to come at the expense of our previous subjective attitude. Hegel defines the perspective distinctive of morality as the "reflection of the will into itself" (PR §105) and he traces the consequences of such an ever more reflective withdrawal from the world. Once we discover that it leaves us empty-handed, we are supposed to realize that we require objective criteria for determining principles of action, criteria that only a social

³ What these transitions involve and what makes them necessary is a question I will address in the fourth chapter, in which I take up Hegel's overall method in the *Philosophy of Right*.

order can provide. But we are also supposed to realize that we need a correspondingly new outlook as well. Hegel describes it in the following passage:

In the simple identification of individuals with actuality (*Wirklichkeit*), the ethical (*das Sittliche*) appears as their general manner of conduct (*allgemeine Handlungsweise*), as custom (*Sitte*) – the habit (*Gewohnheit*) of the ethical appears as a second nature, which is put in place of the first purely natural will and which is the soul, meaning, and actuality permeating its existence (PR §151).

Strikingly enough, this outlook seems to retain nothing of the “moral” point of view, for it replaces reflection with something that looks to be its opposite, *habit*.

Thus it is no surprise that this transition has given rise to a host of concerns. If Hegel is indeed privileging habit in this way, does it mean he wants us to refrain from engaging in reflection altogether? And if so, how can this avoid amounting to a “blind” immersion in social life? Such an immersion would not just be pernicious on political grounds, cementing an unquestioning acceptance of the status quo. It would also involve a kind of regress to an earlier stage in history, perhaps to that of the Greeks, at least in the way Hegel himself characterized them. As Allen Wood remarks, “[the] ethical attitude seems primitive or immature by comparison with the reflective moral attitude with which Hegel often favorably contrasts it.”⁴ This would not be all that surprising, given that the Greek polis is one of Hegel’s inspirations for modern ethical life. But it would mean that he is asking us to renounce one of our central values. Reflection is, after all, crucial to our self-understanding, as Hegel himself is well aware. He in fact praises us for it in his “Preface”: “It is a great obstinacy [*Eigensinn*], an obstinacy that does honor to the human being, to be unwilling to acknowledge in attitude anything which has not been justified by thought – and this obstinacy is the characteristic of the modern age” (PR, 27).

⁴ Wood (1990), 217.

As worrisome as these implications might be, it seems to me that we would first need to get a clearer sense of what Hegel means by habit and of what contribution it is meant to make to modern ethical life before we are in a position to assess their depth and scope. So my main aim in this chapter is to develop a Hegelian conception of habit with the above questions in mind. I hope that it will dispel at least some worries, for I suspect that many of them derive from a certain conception of habit, a conception I think Hegel seeks to challenge. But I am aware that it will probably not dispel all of them. It seems to me that part of the difficulty has less to do with habit, and more to do with reflection. Although it is common to talk about reflection as if it were a single activity, it can take numerous forms that are at least in this context better kept apart. It might be right to say that all reflection is generally speaking an exercise in “abstraction,”⁵ but such abstraction can take place on a wide range of levels. On one end of the spectrum is something like *deliberation* about what to do in a specific situation, namely what principles to invoke and how to apply them in action. On the other end of the spectrum is something like a *critical* interrogation of those very principles, a questioning of their overall validity for action. Although the viability of critical reflection is clearly in the background, habit is most overtly in tension with deliberation, for it looks like I cannot simultaneously act out of habit and pause to think about how to proceed. So in the following I will focus primarily on the relation between habit and deliberation and

⁵ This is the way Hegel characterizes reflection in the Introduction: “The will contains the element of pure indeterminacy or of the ‘I’s pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires, and drives, or given and determined in some other way, is dissolved; this is the limitless infinity of absolute abstraction or universality, the pure thinking of oneself” (PR §5). Here he is drawing a clear connection between reflection and abstraction, and is moreover identifying this capacity to be an *essential* aspect of the will.

leave the question of critique at first to the side. It is a question to which I will return in the third chapter.

Since the problem that habit appears to present is bound up with the picture of “blindness” it tends to invite, we need to unpack this metaphor. I take it that habit, even though it comprises our *second* nature, is nevertheless thought to make animals of us, for it replaces instinct with a new set of dispositions that are no less automatic and involuntary than those provided by our first. In this vein we might think of the behavior of animals as paradigmatically blind, that is, if we assume that they are not following norms at all but acting out of natural necessity. In this case their behavior would count as blind at an elementary level, because animals do not seem to be aware of why they are doing what they do. Even if their behavior follows certain law-like patterns, it is not because they are deliberately adhering to laws. But animal behavior would certainly count as blind at a higher level, given that they do not conceive of what they are doing as the right (or the wrong) thing to do. Another way to put this would be to say that animal behavior is not guided by any kind of “insight” at all, let alone insight into the good.

Whether or not these claims are as a matter of fact true of all non-human animals is not at issue here, only that we incline to imagine animal behavior in this way and that it provides us with a paradigm of blindness we want at all cost to avoid. According to the standard picture, human habits are similarly determined by mere behavioral dispositions without engaging the thought or will of the agent, and so fall prey to both levels of blindness. When human beings act out of habit, they might be aware of what they are doing, so it is not as if they are sleepwalking. But they are not

aware of why they are doing it, nor are they aware of why doing it is the right thing to do. Full-fledged insight, so the story goes, is only earned through reflection. It is only when I pause to deliberate and consider that I am able to proceed in a “sighted” – namely, deliberate and considered – manner. To put this slightly differently, it is only when I have explicitly thought about what I ought to do that I am acting on norms I take to be good ones to uphold. Of course it is not necessarily a problem if some of our behavior is a matter of habit for us, like brushing one’s teeth. What would be a problem is if ethically relevant actions, such as giving alms to the homeless or simply passing them by, were to become habitual and correspondingly blind.

Although Hegel does not speak in terms of blindness, there is an analogue within his own vocabulary, for “immediacy” seems to capture some of the same features. Since it is one of Hegel’s most fundamental terms, it has numerous definitions, not all of which are relevant to this context. But one could say that, on a very general level, something is immediate if it is given to me in some brute way. This can mean that it simply has not yet been reflectively endorsed by me and so remains immediate so long as it does not yet express my thought or will. Thus I might acquire many characteristics long before I am in a position to evaluate them, and these would remain immediate until I do. And this condition would be overcome as soon as I do evaluate and endorse them. But there seems to be another level to immediacy that speaks to the problem of habit more directly. Something is immediate, even if I can (and do) reflectively endorse it, if it does not actively engage my thought or will. This means that the needed distinction is lacking, for I cannot adequately distinguish myself from what determines how I behave.

Here the behavior of animals seems to be paradigmatically immediate, for it is not *mediated* by any conception they have of themselves as distinct from their instincts.

One could suppose that Hegel has such immediacy in mind when he describes habit as a “simple identification” with ethical life, where simplicity suggests an absence of distinction. To identify with ethical life is to identify with my particular social role in it. So to say that my identification with my social role is simple is to say that I cannot draw a line between it and myself and conceive of myself without it. This identification is kept simple by habit, since those who act out of habit cannot help but enact the demands of their social role, whatever they happen to be, because these demands have become entrenched in fixed behavioral tendencies to meet them. But it is not clear whether Hegel could be referring to immediacy of this kind. The problem is that, if habit proves to be so immediate, Hegel would be in deep trouble, because he would have to deny that participation in ethical life could ever count as *ethical* in any relevant sense, for such participatory behavior would not even be norm-governed at all, let alone governed by norms that we take to be good ones to uphold.

This seems to me to be a bullet that Hegel would clearly never bite. Even though he abandons a strictly moral standpoint on action, he claims that his account of ethical life can accommodate a notion of *virtue*, which he sometimes refers to as the “ethical disposition” (*sittliche Gesinnung*). He moreover suggests that this disposition must incorporate insight into the good, without which it would fall short of subjective freedom.⁶ So he needs to be able to square these two claims, namely, to show that the

⁶ Hegel’s argument for this is indirect and embedded in his critique of conscience. The lesson we are meant to learn from the failures of conscience is that there can be such a thing as “true conscience,” which is “the disposition to will what is good *in and for itself*” (PR §137), but that “true conscience is contained in the ethical disposition” (PR §137R). What this means is that the kind of moral requirement imposed by true conscience,

habitual comportment he so privileges could even be regarded as a manifestation not just of trained patterns of behavior, but also of a specifically ethical “frame of mind”.⁷

Interestingly enough, Hegel suggests an even bolder thesis. He is suggesting not that virtue could take the form of habit, though it could take other forms as well. Rather, his thesis is that virtue *is* habit. I take this to be implied by the above passage (paragraphs 151), in which Hegel insists on a strong identification between the ethical and the habitual. This identification is a strong one because Hegel goes beyond conceding that what we do out of habit can, under certain circumstances, count as ethical conduct. His claim rather is that we cannot be ethical without habit, that we cannot be regarded as virtuous unless acting ethically is something we habitually do. Virtue for him seems positively to require a “habit of the ethical”.

So this habit of the ethical presents us with two puzzles. First, how can the ethical ever appear in the form of habit, or how *can* our habitual conduct ever count as an expression of virtue? Second, why *must* the ethical appear in the form of habit, or why is it only our habitual conduct that counts as an adequate expression of virtue? These puzzles have to my knowledge remained undetected.⁸ The standard strategy for defending Hegel on this front is to point out that he only ascribes this habit of the ethical to those who already inhabit modern ethical life, which he thinks is an objectively

namely the requirement that I can grasp the goodness of the norms I am asked to follow, can and even *must* be met by the ethical disposition, whatever this turns out to be.

⁷ This is the translation of *Gesinnung* that Fred Neuhouser recommends. See Neuhouser (2000), 85 (2n).

⁸ One exception is perhaps Goldstein, though I do not see how he resolves the puzzle. He does state that “despite the appearance of unreflective obedience, Hegel’s conception of habit [involves] ... a robust self-awareness that integrates modes of knowing from Kantian duty to ancient virtue to modern rectitude” (2004, 483). But all he can show is how habit preserves the content of duty, virtue, and rectitude, not how habit itself can be regarded as a form of knowledge.

rational social order.⁹ For example, as Ido Geiger qualifies, “Hegel holds that such immediate action is moral, if its agent has been acculturated within a just society.”¹⁰ But this does not yet explain why Hegel thinks it is better, even if only for those inside a just society, to act in this immediate way. Nor does it explain how Hegel can hold this view without conceiving of “immediate” action in a significantly different way. The best it can do is to point out that Hegel is not encouraging us to make a habit out of heeding the dictates of an ethically objectionable social order.

There has been a more promising strategy for making sense of Hegel’s position. According to this strategy, habit is supposed to address the issue of *motivation*. To be more precise, habituation has the central function, not of making our conduct habitual, but of reforming our inclinations to accord with our duties. In this way it provides us with additional motives for doing what we know we ought to do. As Fred Neuhouser puts this, “The force of Hegel’s emphasis on habit is to make a point about how socially free individuals are motivationally constituted – that their desires, dispositions, and values are formed by their upbringing such that their social participation is largely

⁹ Some commentators have tried to argue that §151 describes agents who have not yet reached maturity. For example, Thomas Lewis calls this “pre-reflective ethical life,” arguing that the “individual begins in immediate identification with ethical life as an existing system of customs and values,” before moving on to reflect on them (2008, 38). Similarly, Allen Wood interprets Hegel’s claim that in habit spirit becomes present in the world as implying “that spirit also exists in other, later, more developed forms” (198). But as Paul Franco (1999) has pointed out, “there is little evidence...to suggest that Hegel means this passage to be understood in this developmental way” (1990, 230). I agree with Franco that Hegel gives us every reason to believe that he is here talking about fully formed ethical agents. What we find within the chapter of “Ethical Life” is not a kind of development in which the earlier characterizations of the free will are fundamentally challenged and substantially revised. It is a characterization that is meant to be subsequently elaborated, not abandoned. Moreover, Hegel invokes habit again in his discussion of the *political* disposition, which he defines as a “certainty based on *truth* (whereas merely subjective certainty does not originate in *truth*, but is only opinion) and a volition which has become *habitual*” (PR §268).

¹⁰ Geiger (2007), 3.

spontaneous, or ‘comes naturally’ to them.”¹¹ This strategy has significant advantages, for it does not require that we think of ethical conduct itself as a matter of habit. In other words, our activity could still be preceded by deliberation and in this way directed by our thought and will. What habit adds is a new set of desires to do our duty, and so allows us to find sensuous satisfaction in acting ethically.

This strategy also fits rather well into a tradition to which Hegel is evidently alluding. It seems relatively clear that Hegel means to invoke Aristotle, who likewise grants habit a significant place in his ethical theory. According to Aristotle, we learn what we ought to do through instruction, whereas habituation addresses itself to the non-rational part of the soul and makes it receptive to the dictates of the rational part¹² by instilling what are usually translated as “virtues of character”. In this way habit cultivates the right kinds of desires and allows us to take pleasure in the right sorts of things. And even though we would also need corresponding “intellectual virtues” to become virtuous in the full sense, habituation is nevertheless assigned an indispensable task from the perspective of moral education. Thus Aristotle stresses, “it does not make a small difference whether people are habituated to behave in one way or in another way from childhood on, but a very great one; or rather, it makes all the difference in the world.”¹³

¹¹ Neuhouser (2000), 112.

¹² Aristotle describes it as the non-rational part’s capacity to “listen” to reason “as if to one’s father” (*Nicomachean Ethics* 1103a4).

¹³ Ibid, 1103b24–26.

There are good grounds for thinking that Hegel wants to appropriate these elements of Aristotle's theory, for he clearly disparages the austerity of the Kantian picture, according to which we ought to act *solely* out of duty, irrespective of whether our inclinations are thereby satisfied. It is worth noting that Kant objects to habituation in part because he thinks it generates inclinations so conducive to morality that they could usurp the motive of duty. At the same time, I am not persuaded that Hegel appeals to habit in order to rehabilitate inclination as an appropriate source of motivation. Even if reforming our inclinations is one upshot of habit, I do not think that in Hegel's estimation this comprises its primary contribution. Habituation has for Hegel a far more rational task, so to speak, for it bears directly on our claims to ethical knowledge in the first place. In short, Hegel holds that we cannot be said to know our duty unless we demonstrate a commitment to doing it, and we only demonstrate such a commitment through the habit of the ethical. So it is habituation that brings about the frame of mind Hegel associates with the ethical disposition, and it is habituation that brings about the kind of insight we are after, so the very insight we thought habit was incapable of exhibiting.

It is especially surprising, I think, that Hegel's official account of habit in his "Anthropology"¹⁴ has not been brought to bear on his rather elliptical remarks in the *Philosophy of Right*.¹⁵ As we will see, this "anthropological" account does introduce

¹⁴ It might be helpful to place this text, which is not self-standing, but comprises a sub-section of "Subjective Spirit" in his *Encyclopedia of the Philosophical Sciences*. The *Encyclopedia* is meant to serve as the comprehensive exposition of Hegel's "system", and so incorporates the subject matter of the *Philosophy of Right* as well, in the later division called "Objective Spirit," albeit in abbreviated form.

¹⁵ One exception is Thomas A. Lewis (2008). In this paper he does relate Hegel's discussion of habit in the "Anthropology" to the role of habit in ethical life, but he nevertheless associates it with "pre-reflective ethical

difficulties of its own, for it seems on the face of it to confirm the standard picture of habit as essentially blind. So I admit that we might not see its connection to the habit of the ethical at first sight, and that drawing such a connection can even make matters worse, for here Hegel explicitly characterizes habit as “immediate” in the problematic sense. But a closer look at this account does reveal habit to be capable of a more complicated structure than this invocation of immediacy initially suggests. In the “Anthropology” we discover a form of habit that is sighted in a way that the habit of the ethical would have to be in order to be considered ethical.

In the following my aim will be to resolve both puzzles, and so disambiguate the habit of the ethical and clarify the basis of its centrality in modern ethical life. I will begin by motivating the kind of difficulty that habit seems to pose for Hegel, especially in light of his anthropological account. I will do this by bringing his account in dialogue with Kant’s, which is explicitly developed from a “pragmatic point of view,” and so with a view to the ethical contribution of habit as such. I will then explain why I think Hegel nonetheless wants to identify virtue with habit, what leads him to think that only habit can adequately express a truly ethical disposition. Finally, I will return to habit in the “Anthropology” in order to question whether the account he gives in that context really poses the kind of difficulty it seemed to at first glance. Although I hope to show that the difficulty can be resolved and that the habit of the ethical can assume its central place in the modern social order, I will conclude by returning to some of the dangers that we might think even the habit of the ethical so conceived could never completely shed.

life” that requires a further transition from habit to freedom. This is precisely the argument I want to dispute.

Despite his optimism, Hegel seems to be well aware of them and traces them back to the ineliminable proximity between habit and death.

I. Pragmatic Point of View

It is instructive to explore the difficulty facing the habit of the ethical with the help of Kant, who denies in rather blunt terms that habit could ever be ethical in the first place. As he puts it in his *Anthropology from a Pragmatic Point of View*, “as a rule all habits are reprehensible”¹⁶ and so unsuitable to the ends of ethics. Given the central tenets of his moral theory, especially the significance he places on autonomy, this verdict is not all that surprising. As Kant sees it, habit is “a physical inner necessitation to proceed in the same manner that one has proceeded until now”,¹⁷ and so appears to introduce a compulsion inimical to free activity. When a certain activity becomes habitual, it falls outside our immediate control and so ceases to be relevantly up to us. In other words, we are no longer willing our own actions and so are no longer fully in charge of what we do. As this characterization shows, one need not subscribe to Kant’s robust conception of autonomy in order to see the problem, for habit proves incompatible with freedom in a fairly minimal sense. When I act out of habit, I seem to no longer be following norms at all, irrespective of whether or not these norms ultimately stem from my rational nature. To put this in Kantian terms, I am no longer acting on a *conception* of the law, even though to an observer my behavior probably looks to be exceptionally lawful.

¹⁶ Kant, *Anthropology from a Pragmatic Point of View*, 7:149.

¹⁷ Ibid 7:147 and 7:149.

Although Kant is talking about habit in general terms, he appears to be particularly concerned to deny that virtue can have any relation to habit, let alone require it. As he puts it in the *Anthropology*, “virtue is moral strength in adherence to one’s duty, which never should become habit but should always emerge entirely new and original from one’s way of thinking”,¹⁸ adding that habit “deprives even good actions of their moral worth before it impairs the freedom of the mind”.¹⁹ His unyielding stance is clearly intended to be a response to Aristotle, who regards habit as integral to a virtuous life. Although some have attempted to stress its significance,²⁰ virtue does not seem to occupy a central place in Kant’s official theory, mainly because he does not think it provides a criterion by which to evaluate the moral worth of an action. Each action is to be evaluated on the basis of its corresponding motive, and not on the basis of the agent’s overall character. But Kant does think he can give an account of virtue that fits his theory. In his words, virtue is moral *strength* in adherence to one’s duty, a strength that persists from one action to another and lends consistency to the series of discrete deeds that comprise one life. Although Kant does not put it in quite these terms, one could say that for him one attains the requisite moral strength by becoming thoroughly *principled*, by choosing to live one’s life in a principled manner. Virtue for him would then amount to nothing more, and nothing less, than adherence to principles.²¹

¹⁸ Ibid 7:147.

¹⁹ Kant, *Anthropology from a Pragmatic Point of View*, 7:149.

²⁰ See for example Barbara Hermann (2007b).

²¹ I admit that it is perhaps confusing to talk of a plurality of principles in Kant’s case, for he seems to be interested only in one principle: the moral law. At the same time, he suggests that all action, even action that is morally impermissible, is guided by rules that can be articulated as *maxims*. As Patricia Kitcher (2003) has shown, maxims for Kant must possess a certain rule-like form already if they are to be measured by the master principle of the categorical imperative, which asks whether the rule they contain could become a law.

As I mentioned, Kant's objection to habit on this front is frequently tied to his rather ascetic picture of moral motivation that grants no positive prospect to any motive other than duty as such. If habituation is meant to *incline* us to act morally, it can never supplant the motive of duty without robbing our dutiful actions of moral worth.

Admittedly, this does not yet mean that we should instead do nothing to rid ourselves of inclinations to act immorally, inclinations that directly conflict with duty and compete with its influence on our will. In that case habituation could plausibly play a negative role of eradicating wayward desires, or at least lessening their power over us, without cultivating better desires in their stead. But as a new study by Robert Stern provocatively argues, Kant seems to think that the very concept of duty hinges on a friction with inclination that is responsible for the experience of necessitation distinctive of morality. We are not and should not aspire to be holy wills, wills that face no temptation to do anything other than what is right and good. Since holy wills are not subject to imperatives in the first place, the categorical imperative so central to morality has no grip on them.²²

Though I do find this convincing as an interpretation of Kant, I think we could even temper Kant's ascetic picture without thereby losing the basis of his final verdict against habit. Even if we concede that habituation can contribute to the ends of ethics by disciplining our desires and so moderating the friction they impose, it is still clear that habit could never produce actions of moral worth. Given Kant's conception of habit as a physical inner necessitation to proceed in the same manner as before, it is clear that

²² See Stern (2012), especially his responses to Baxley (2010) and Korsgaard (2009), 230 – 235.

any attempt to turn principles into habits is to give up on principles altogether, to strip them of their role as conscious and deliberate guides of our conduct. So Kant seems to share the standard picture of habit we ourselves have brought to the table. Interestingly enough, the problem is not that habit would make *body* wills of ours. In fact, it is quite the opposite. As he puts it, “the reason why the habits of another stimulate the arousal of disgust in us is that here the animal in the human being jumps out far too much, and that here one is led *instinctively* by the rule of habituation, exactly like another (non-human) nature, and so runs the risk of falling into one and the same class with the beast”.²³ When we act out of habit, we are not properly speaking choosing the next step we take, and so we are in a sense no longer actively following rules at all. A necessitation structurally no different from instinct has taken over our conduct.

While Hegel clearly wants to shed various dualisms at the basis of Kant’s theory, including the dualism between duty and inclination, he cannot so easily escape the problem Kant thinks faces the habit of the ethical. Whatever inspiration he may have found in Aristotle’s theory, Hegel remains concerned with the possibility of freedom and regards it as no different from the possibility of living an ethical life. Unlike for Kant, who equated freedom with autonomy, freedom for Hegel is a multifaceted ideal that involves a two-fold structure, for it contains an objective as well as a subjective component. We are objectively free when we inhabit a rational social order, one whose instituted norms are as a matter of fact good and right, and inside this order we do not need to apply the categorical imperative in order to figure out what to do. But even if

²³ Kant, *Anthropology from a Pragmatic Point of View*, 7:149.

we are lucky enough to inhabit such an order, we must also be subjectively free, namely, we must *grasp* these instituted norms *as* good and right.²⁴ This is an aspect of the “moral” perspective which Hegel thinks is best crystallized in Kant and which he does not want to abandon.

Although subjective freedom in this sense is not exclusively a matter of motivation, it does bear on the reasons I have for doing what I do. One might say that Hegel rejects the dualism between duty and inclination not because he denies that they can be conceptually distinguished or that they can practically conflict. Rather, he rejects this dualism because he deems it too abstract, and so a product of excessive abstraction. As an agent acting within the rational social order, I am moved *neither* by considerations of duty *nor* by those of inclination, but by the rational social order itself. To translate this into a bit of Hegelese, this order is the “universal” made “concrete” through the demands of my specific roles. Granted, I probably do not have the social order as whole in mind whenever I act, and sustaining it is probably not my reason for enacting my role within it. But because the survival of this order is at stake in each of its official institution, even in most of its informal practices, I am faced with it in the largely mundane situations in which I find myself. Thus Hegel tells us that someone who is subjectively free “does not have the self-consciousness of [her] own particularity, but has it only in the universal. This must be done, so I want to do it – for the sake of the thing (*die Sache*), not for my own sake, must the thing be done” (VRP, 291). In short, it is *die Sache* that moves me to act, and not any idea I might have about what duty demands or

²⁴ Hegel identifies this as the “right of subjectivity”, which he defines as the requirement “that whatever [the subjective will] is to recognize as valid should be perceived by it as good” (PR §132).

what I wish I could do instead. And *die Sache* is nothing other than whatever is at stake in the specific situations that confront me day in and day out.

Even this mere sketch provides clues into Hegel's alternative proposal. It shows that Hegel is critical of the kind of mediation that both considerations of inclination and of duty introduce, for choosing either requires that we step back from the situation that is calling us to act and preoccupy ourselves with our inner lives instead. But it also shows that Hegel cannot really be recommending that we act ethically *because* it is our habit, or that acting ethically become so habitual that we act on the basis of *no* reasons at all. Both of these outcomes would mean that we are no longer acting for the sake of *die Sache*, that we have lost sight of it altogether, and that we cease to grasp what we do as being good or right. As Hegel overtly admits, "It is of course not irrelevant whether I do something from habit or custom or from persuasion of its truth" (PR §140A). So Hegel inherits the problem that the habit of the ethical presents, even if he does not want to take Kant's moral theory (especially his account of motivation) on board.

It is for this reason striking that the picture of habit we find in Hegel's version of an "Anthropology", though significantly more developed, echoes Kant's own. Hegel also defines habit along the lines of a physical inner necessitation, calling it a "mechanism".²⁵ This is for Hegel the lowest form of natural necessity, one that is even lower than the necessity exhibited by mere organisms, and so it must be most distant from whatever necessity freedom might impose. And there are other similarities worth noting. Even the general subject matter of Hegel's "Anthropology" converges with that

²⁵ Hegel claims that "habit is a determination of feeling, as well as intelligence and will, that has been made natural and mechanical" (E §410).

of Kant's, for it is likewise concerned with a set of subjective faculties abstracted from any specific form of social life. And although Hegel's is not written from an explicitly "pragmatic point of view," it can also be read with a view to how these subjective faculties are eventually actualized in ethical life. Part of Hegel's argument is, after all, that "Subjective Spirit" anticipates what he calls "Objective Spirit" (a portion of the *Encyclopedia* that covers the same territory as the *Philosophy of Right*) and so can only become fully realized within the social context it provides.

Despite these broad similarities, the particular place of the "Anthropology" within the *Encyclopedia* as a whole must be kept in mind, for this chapter is supposed to contribute to a larger story tracking the development of a self-conscious I out of the shortcomings within the natural state of self-feeling, a state we share with other animals. This means that habit is here viewed from a specific systematic vantage point, one that could potentially limit its ethical relevance. To be more precise, Hegel is here interested in the contribution habit makes to our emergence out of mere nature. Indeed most of his examples are of habits that help us cope with our natural surroundings, rather than those that might help us navigate our social world. So it is not self-evident that this account can shed any light on what he means by the habit of the ethical.

It is also important to note that, despite his interest in anthropology, Hegel does not consider habit to be a uniquely human phenomenon and he already introduces it at the end of his preceding "Philosophy of Nature". In fact the kinds of habits that Hegel here describes are for the most part those we share with non-human animals, for animals too might need to train certain dispositions in order to inhabit their surroundings more successfully. Catherine Malabou for instance challenges the very distinction between

first and second nature, arguing that “the account developed here shows that, for Hegel, nature is always *second nature*”. She goes on to raise the question, “If all animals are habituated animals, how do we distinguish the boundaries of that exemplary living being called man.”²⁶ This is a fair question, for Hegel seems to be surprisingly indifferent to such boundaries.

But despite this fraught context in which habit is first introduced, I do not think its placement within the *Encyclopedia* makes it irrelevant for our purposes, since Hegel does claim to be delineating the very form of habit, one that is ultimately independent of its initially natural content and can eventually come to bear an ethical content as well. So we would next need to delineate this general form of habit as such before we can determine its subsequent relevance to ethical life.

II. Anthropological Account

Hegel defines habit at this formal level as “the soul’s making itself an abstract universal being and reducing the particulars of feelings (and of consciousness) to a mere feature of its being” (E §410). In order to make sense of this definition, we should note that habit is being introduced at a crucial juncture, namely, as a solution to the madness of “self-feeling.” Because at the level of self-feeling I was unable to distinguish myself from my feelings, these in short drove me in conflicting directions and ultimately tore me apart. Habit represents an advance because it allows for a different kind of self-relation. In other words, it is habit that first introduces the distinction between my self and my

²⁶ Malabou (2005), 57.

feelings, and so reduces them to the level of “determinations”. In one commentator’s helpful formulation, they are now no longer *me*, but *mine*.²⁷ This self-relation turns out to be relevant to assessing the supposed immediacy of habit and its potential compatibility with reflection. But whatever this self-relation amounts to, it is significantly an achievement of habituation.

In fact Hegel seems to be far more interested in this process itself than in its result. And it is not difficult to see why he might be, for habituation is unequivocally a kind of activity, an active molding through repetition and practice, and so a deliberate effort to take possession of my own body and make it conform more effectively to my will. Although habituation is not always intentionally undertaken, habituating myself does require the exercise of my intellect and the conscious control of my movements and limbs. Through practice and repetition, I alter some of my natural determinations (by learning to stand upright) as well as give myself new determinations, produced by me (by learning, say, to fashion a spear). This makes habituation for Hegel a “spiritual” process, which means that it is mediated by my thought and will. During it I am guided by a conception of what I aspire to become, and I am making something out of myself and so positing a newly fashioned self where there was once only raw material in me. He even announces at this rather early point in the system that that “the form of habit encompasses all sorts and stages of the activity of spirit” (E §410), suggesting that habituation is a paradigmatically “spiritual” process and that all others will eventually emulate its basic structure. Spirit is identified with the activity of self-determination, and

²⁷ McCumber (1990), 158.

this activity is presumably most vivid when I am compelled to abstract away from what was given to me in order to earn my identification with it. Any habituation I might undertake positively requires both of these acts – of abstraction and of identification – from me.

The result of this process is, however, a thornier matter. So let me start with one of its benefits that Hegel singles out to be of lasting value. Hegel states that, at the most basic level at least, “habit possesses the greatness to be freed from that to which one is habituated” (E §410). He is thinking of habituation as a process of liberation, of emancipation from our prior imprisonment in “first” nature, and so understands its enduring contribution in primarily negative terms. To be more precise, habits free us from the overwhelming and maddening imposition of sensations, from the distracting effects of drives and desires, and even from the mental exertion involved in acquiring skills like learning how to carve and throw a spear.²⁸ In this respect, habit can even contribute to activities of a higher sort, though only indirectly. By eliminating these extraneous sources of imposition, distraction, and exertion, it clears our attention for more cerebral matters, like philosophy.²⁹

There is a further benefit, which strikes me as even more valuable, though also more difficult to discern. The process of habituation goes beyond quieting the influence of feeling broadly construed, for it also lifts us from our immersion in the sea of feeling

²⁸ Hegel distinguishes between three types of habits – habits of hardening (*Abhärtung*), specifically to sensations; habits of indifference (*Gleichgültigkeit*), specifically toward the satisfaction of desires; and habits of skill (*Geschicklichkeit*). I will return to this taxonomy below.

²⁹ For example: “[Habit] is free from them [sensations, etc.] insofar as it is not interested in and preoccupied with them; by existing in these forms as its possession, it is likewise open to further activity and occupation – of sensation as well as of the consciousness of spirit” (E §410).

and raises us above this sea. As Hegel's very definition suggests, habituation introduces a new self-relation made possible through its laborious effort to differentiate myself from my determinations. In this way it seems to establish a potentially *reflective* relation I might adopt to that which determines me. Granted, at this stage I do not yet know how to reflect on my determinations, particularly what standards to employ in deciding which among them to shed and which to keep. Hegel nevertheless calls habit the achievement of a "reflexive universality", which is more than a structural point and carries some pretty robust implications. It means, for one, that I now can abstract away from at least some of my determinations, which in turn means that I now *must* in some sense identify with each of them. Once habituation is complete, the principal lesson it has taught me is that my nature is not my fate and that I have the power to reform myself, which renders me accountable for those determinations that I could in principle alter. But even if I find that there are aspects of my nature that are not malleable by me, I have to own up to all of my determinations, including those that I did not willingly acquire. From the perspective of habit, I can never again abnegate credit for who I have become. I take this to follow from the self-relation that habit introduces, for to have "determinations" is to take them to be *mine* and so to grant them minimally my tacit assent.

The problem seems to be that we are at most actively reflecting while we are in the process of forming habits. Once these are fully formed, we no longer need to reflect about what we are doing, even if we remain in principle no less capable of doing so. But Hegel even notes that reflection can be practically incompatible with habitual behavior. For example, "Adopted *directly, without thinking*, his upright stance continues through the persistent involvement of his will. Man stands upright only because and insofar as he

wants to stand, and only as long as he wills to do so without consciousness of this” (E §410). In claiming that I can will this posture only as long as I am not conscious of it, he is pointing out that, for some habits at least, I cannot think about what I am doing while I am doing it. It is only because I am not attending to my posture that I can stand upright, for turning my attention to it could destabilize it in a similar way in which attention has on occasion made me forget the code to my apartment building, which I otherwise enter unthinkingly every day.³⁰

But habitual behavior does not seem to be Hegel’s primary concern in this chapter. His taxonomy divides habits into three categories – those that strengthen us against sensations, those that make us indifferent to our desires, and skills – of which only the last contains habits that manifest themselves in anything like full-fledged activity. One of the reasons why Hegel is especially concerned with these “negative” habits (as I call those of the first two categories) has to do with their unequivocally liberating function, since it is they that free up our consciousness without impinging on it. Through repeated exposure, habituation makes us increasingly oblivious to various feelings, sensations, or desires that would otherwise capture our attention. As Hegel puts it, the soul is “free from them insofar as it is not interested and occupied with them” (E §410). This is especially true of those habits that fortify our bodies, like the

³⁰ This is somewhat reminiscent of Hubert Dreyfus’s concept of expertise he calls “embodied coping”. Dreyfus argues that this expertise requires that it be and remain unreflective and it is fundamentally threatened by the intrusion of reflection. He provides the following example to illustrate this point: “As second baseman for the New York Yankees, Knoblauch was... voted best infielder of the year, but one day, rather than simply fielding a hit and throwing the ball to first base, it seems he stepped back and took up a ‘free, distanced orientation’ towards the ball and how he was throwing it – the mechanics of it, as he put it. After that, he couldn’t recover his former absorption and often – though not always – threw the ball to first base erratically – once into the face of a spectator” (Dreyfus 2007, 354).

hardening of the skin to cold temperatures, but also of those that lessen the force of our natural desires like thirst or hunger. In both cases, we become so accustomed to something that we cease to notice it, thus banishing it from our minds.³¹ And Hegel's point is that such habits are able to free up our consciousness precisely because they are themselves "unconscious" (*benusstlos*).

As far as negative habits go, this strikes me as a relatively unproblematic claim. These seem to be most obviously unconscious precisely because they are not really *habits* at all, but rather passive filters standing guard against various unwanted influences. And they are most obviously liberating because without them we would have less control over our mind and will. What we need to examine is whether this is true of habitual activities as well, whether "positive" habits are similarly unconscious. The positive habits Hegel describes fall for the most part in the category of skill, and he argues that even skills must be in a certain sense unconscious in order to fulfill their own liberating function. In learning a skill, we initially need to pay a great deal of attention to what we are doing, but we truly possess a skill only when we can go on automatically. For example, someone who is first learning how to play the piano is conscious to the position and motion of every finger, but a virtuoso has mastered the art to such an extent that she is no longer aware of the different steps she is taking while playing. It is as if her hands now have a mind of their own. Being skilled in this way is liberating because it makes my body into a more efficient instrument, which it becomes once I no

³¹ For Hegel, habituation is a more effective measure than efforts to eradicate sensations and desires altogether. He criticizes the ascetic solution, since ascetics are completely preoccupied with the very determinations they are trying to negate. According to Hegel, someone who has grown so accustomed to them that she learns to ignore them is freer than someone who wants to get rid of them altogether.

longer need to be aware of its every movement. A skilled body allows me to attain my aims more effectively because it does not require as much cognitive exertion on my part. In this respect, skills do resemble the so-called activity of standing upright, even when they are consciously cultivated and directed at higher ends.

But the liberation these habits enable seems to come at a significant cost. Even though all habit has an invaluable function of liberating us from aspects of our given nature, it can regrettably fulfill this function only by putting another nature in its place. This looks to be the conclusion to which Hegel himself arrives, for it often sounds as if he thinks that, once we are saddled with a host of fully formed habits, these inherit the status of immediacy from which we in turn need to be liberated. To put this slightly differently, the process of habituation may well be an exercise of freedom, but once this process has come to an end, we end up with something that looks far too much like the very thing we sought to escape – subjection to compulsion beyond our direct control. Thus Hegel is happy to remind us that “habit has with right been called a second nature – *nature*, for it is an immediate being of the soul – and a *second*, for it is an immediacy posited by the soul” (E §410). Insofar as it is a *second* nature, it is a product of free activity. But what we are dealing with remains *nature* and thus a form of blind immediacy determined by mechanical necessity.

It is not difficult to see that, if this were true of the very *form* of habit, habit as such would prove to be unsuitable to ethical action. In other words, it is one thing to admit that some habits are bad because of their content, because of the kinds of behaviors they produce. And such habits would presumably strike us as compulsory, because we would be unable to see our own volition reflected in them. Consider, for

example, exemplary instances of implicit biases, such as the habit of addressing oneself automatically to the members of one social group rather than those of another while conversing at a philosophy department reception. I may wish this habit away, may wish that I made an equal amount of eye contact with all of my interlocutors, irrespective of whether they are, say, men or women. So when in these contexts I direct or avert my attention in habitual ways, I would be acting unfreely. But is this due to the particular habits I have developed, or is it part and parcel of habit as such? In other words, am I always unfree whenever I act habitually, even if my habits seems to me to be good ones, like that of recycling?

The standard reading of Hegel's account has answered that, yes, habit as such must be unfree. While cultivating habits comprises a significant stage in our ethical development, it is a stage that needs to be surpassed in order to attain an even higher form of subjective freedom. At best habit is preserved as a background to our free activity, because certain habits need to remain in place in order for us to be able to engage in more sophisticated projects. As Hegel himself points out, we would be unable to do philosophy unless we were used to sitting hunched over and reading for long periods of time and unless we had learned to ignore certain sources of temptation, like that to go online.³² A popular Internet blocking software meant to compensate for the failure of habit is even appropriately named "Freedom". But it is indisputable, according

³² Hegel explicitly mentions the dependence of philosophy on habit in his Addition to §151 of the *Philosophy of Right*, when he writes that "habit belongs to the ethical just as it belongs to philosophical thinking, since the latter demands that spirit be cultivated against arbitrary ideas and that these be eliminated and overcome so that rational thinking can have free reign".

to this reading, that Hegel thinks freedom itself could never become habitual without ceasing to be freedom at all.

Although he is my no means alone,³³ John McCumber provides an especially lucid articulation of such a reading. According to McCumber, habit has no more than the instrumental value of liberating us from our first nature, and to this end it does not matter which habits we develop. Even bad habits can play such a liberating role “to the extent that, by replacing or supplementing characteristics acquired at birth, habit lifts us up and out of nature itself, toward the ‘second nature’ we ourselves have created”.³⁴ But given that all habits are unconscious and largely passive, they reintroduce a form of compulsion that we would need to transcend. Thus he concludes that Hegel “views habit as, like falsity, a phenomenon of transition which, though not good in itself, can help bring about a better state of affairs. This, its liberating role, is its ‘essential determination’”.³⁵

While there is admittedly considerable textual evidence in support of such a reading, it cannot reflect Hegel’s final word on the matter, especially within the *Encyclopedia* at large. Thus it is worth recalling the systematic context of the anthropological account. Since its particular purpose is to explain the transition from mere nature into “spiritual” territory, Hegel is here considering habit first and foremost with this transition in mind. But this is not its only systematic place. In fact habit returns in “Objective Spirit”, where Hegel investigates modern ethical life. And as we

³³ Another example of this is Lewis, where he writes that “the more internalized or natural a habit is to us, the more it is something given, necessary, and not fully free” (2008, 56).

³⁴ McCumber (1990), 157.

³⁵ Ibid.

have seen in the companion text, *The Philosophy of Right*, Hegel grants habit in modern ethical life what may look to be a puzzling centrality, given its supposed formal shortcomings. His concern in this social context is, however, no longer the transition out of first nature, but rather a return back to nature, so to speak. As he puts it, in ethical life “self-conscious freedom has become nature” (E §513) once again. So even if McCumber is right to read the anthropological account in the literal way that he does, he is in any case too quick to conclude that any resemblance our second nature might bear to our first pits it against freedom. Next I want to consider what attracts Hegel to this very resemblance.

III. Ethical Disposition

In proposing that we turn self-conscious freedom, which we presumably won through liberation from nature, back into nature, I take Hegel to be obliquely objecting to Kant on terms that are in large part Kant’s own. As Kant sees it, virtue can never become habitual without losing its basis in principles, for as soon as we make them our habit, we stop following them in a free manner, which means that we stop strictly speaking following them at all. Hegel’s proposal challenges this line of thought, for it suggests that such a self-conscious relation to principles indicates precisely the opposite – that we are *not yet* following them freely. According to Hegel, freedom is only fully realized and so only is freedom in the fullest sense when it appears in seemingly natural guise, as the habit of the ethical. Note that Hegel’s claim is quite strong. He is not simply saying that habit is *one* form that being principled can take, but that we prove to be principled *only* when principles have for us assumed a habitual form. In the following, I will trace the

line of thought that leads Hegel to this striking conclusion, one that runs so unabashedly counter to the Kantian picture of virtue.

My suggestion is that, in order to make sense of this reappearance of habit in ethical life, we need to look to Hegel's competing picture of virtue. To be fair, Hegel was not fond of the term "virtue" or *Tugend*. He mentions it every once in a while, and not always unfavorably, but virtue for him remains too closely wedded to virtuosity and to the moral genius of exceptional individuals.³⁶ He thinks that, in a rational social order such as our own, virtuosity and genius are no longer needed and virtue becomes, even if not thoroughly commonplace, nevertheless largely mundane. Whereas for the Greeks, for example, ethical action required heroic personal qualities, this is no longer the case in modern ethical life, in which virtue need not stand out against the backdrop of an inadequate social world. In our world, virtue is almost invisible because it rarely requires anything above rectitude, or the "ethical order reflected in the individual character" (PR §150). This is for Hegel an indication not of lowered expectations on our part, but of the rationality of modern social life, which does not demand the same level of personal sacrifice.

At the same time, Hegel does speak of something quite similar, which he calls the ethical disposition and which he characterizes as a "simple, undeviating, fixed orientation" (LNR, 132). This disposition is in many respects the modern inheritor of what virtue was for the Greeks, and as we will see, it retains elements of an outlook Hegel associates with figures like Antigone. Here a fuller definition he offers:

³⁶ As Hegel puts it, "Virtue consists rather in ethical virtuosity, and if we speak less about virtue nowadays than before, the reason is that the ethical is no longer so much the form of a particular individual" (PR §150A).

An ethical disposition on the part of the subject involves setting aside reflection, which is always ready to pass over from universal substance to the particular. It involves knowing and recognizing the universal element of substance, the laws, as an eternal mode of being subsisting in and for itself and as the distinctive essence of self-consciousness; and it involves acting in, and being simply oriented toward, its substantive vocation (LNR, 132).

It bears noting that Hegel begins by contrasting the ethical disposition with a reflective stance, suggesting that one possesses it only when one has set reflection aside. There are, however, two aspects of Hegel's definition that do bring it remarkably close to the Kantian conception. According to Hegel, possessing an ethical disposition involves knowing and recognizing the "universal element of substance," which Hegel specifies as its laws. So even though it is unreflective, the ethical disposition so defined does seem to recall the kind of moral strength Kant speaks of. In both cases, virtue is what ensures dependability and consistency in one's conduct, though not through mere behavioral dispositions, but through a corresponding frame of mind. In other words, virtue consists primarily in a certain kind of ethical knowledge, knowledge that provides my behavior with an "orientation" toward what is good and right.

We could even venture to say that for both Kant and Hegel, being virtuous amounts to being principled, dependably and consistently so. I take this to be suggested by Hegel's insistence on the *undeviating* orientation toward substantial *laws*. Although it might seem odd to translate this into the language of principles, I do think this move is justified, for laws and principles share a rule-like form. The difference between them seems to be that laws are regarded as "out there" in an objective sense, whereas principles involve an element of subjective identification. So principles are laws that have become at least to some degree internalized by us.

Now, Hegelian principles would nevertheless have to differ in significant respects from the Kantian variety. They could not, first of all, be nearly as abstract, and certainly neither reducible to nor derivable from anything as formal as the categorical imperative. Rather, the relevant principles would have to attach to the specific social roles we inhabit, roles through which we partake in ethical life. This is best visible in the case of professions or occupations. For example, it is in my position as a doctor that I am bound by a certain code of conduct, captured in the Hippocratic Oath, and this code is not the same as the one pertaining to a teacher. Moreover, in my capacity as a daughter and a friend I adhere to a different, perhaps less formal code. Since we occupy numerous roles without access to a “master principle” like Kant’s moral law, these could come into genuine conflict, in which case I might find myself torn between them. But as long as everything is going well, they lend dependability and consistency to what I do, and it is in this respect that they serve a function similar to those of the Kantian variety, namely, to lend unity to my conduct.

In fact Hegel is much more explicit than Kant in stressing that virtue is not manifest first and foremost in discrete actions, but in the way I lead my life. To quote Hegel, “When the human being performs this or that ethical action, he is not immediately virtuous, but indeed then, when the manner of conduct is a steadiness of character” (PR §150A). In other words, it is not enough that I muster moral strength every once in a while, or even most of the time. I am only virtuous if and when all of my actions cohere in a certain way. So the steadiness of my character must span over the manner of my conduct as a whole. As Hegel states in a rather ruthless passage, “what the subject is, is the series of his actions. If these are a series of worthless

productions, then the subjectivity of willing is just as worthless; but if the series of his deeds is of a substantive nature, then the same is true also of the inner will of the individual” (PR §124). Since my life is presumably still in progress, what matters is not the sum total of my deeds, but the broader patterns they tend to display. It is these patterns that betray my frame of mind and expose it as virtuous, or not.

While Hegel is not interested in reducing the ethical disposition to traits of character, neither does he think it can be equated with merely recognizing that certain principles are good ones to uphold. For Hegel the ethical disposition has to consist in a commitment to live in a principled manner, for only such a commitment could lend the requisite unity to my conduct and ensure that my orientation remain “simple, undeviating, and fixed.” Though it may already sound like a departure from Kant, this element is not wholly missing from Kant’s own conception of virtue. Kant in fact emphasizes that virtue is founded on what he calls a “revolution of the heart” – and “heart” here in the sense of *Gesinnung*.³⁷ According to Kant, my character must be grounded in a deliberate decision to lead a principled life. This is the only way I can become responsible for my virtue because it is the only way I can be said to have chosen the principles I live by, aligning myself either with that of morality or that of self-love.³⁸ In the absence of such a decision, I might nonetheless recognize that the moral law is the one I ought to heed, but do so without aligning myself with it and so without making it authoritative over me.

³⁷ Kant’s *Religion within the Bounds of Reason* 6:47.

³⁸ Though principle of self-love does not for Kant count as a proper principle, because its content is too contingent on the whim of our desires. This means that Kant does not acknowledge two kinds of character – the virtuous and the un-virtuous kind – but that for him only those who are virtuous have character at all.

Although Hegel never engages Kant directly on this front, this seems to me to be the point where their respective conceptions of virtue most vividly diverge. I think it is fruitful to trace this divergence in some detail. Now, it is not clear to me whether Hegel thinks that we would ever need to make a deliberate decision of a revolutionary sort, namely, whether we must commit ourselves in a self-conscious manner to the principles to which we end up being committed. At times he indicates that good upbringing is all that is needed in order to cultivate an ethical disposition. He was fond of citing the story of the father who asked a Pythagorean for advice on how to raise a virtuous son, a question to which Pythagorean replied: by making him the citizen of a state with good laws (PR §153). He even describes good upbringing as a process as gradual as habituation itself.³⁹ Such passages do suggest that Hegel would probably consider such a deliberate decision superfluous, needed at most in cases of paralyzing conflict, when circumstances force us to pick between competing principles. It is clear, however, that he would consider it in any case insufficient in achieving its end.

What Hegel thinks proves a genuine commitment, irrespective of the manner in which it is made, is a corresponding *decisiveness* in demeanor. This is an aspect of virtue that the Kantian account not only lacks, but also cannot adequately accommodate. On Kant's picture, it makes no difference from an ethical point of view whether the right thing is something I do with reluctance, or whether it is something I am already ready to do whenever the situation should call for it. I must in a sense be ready to do it – that is true. But I can be ready to do it even if it remains difficult to do. All that matters is that

³⁹ See for instance VPR, 89.

I do the right thing, and for the right reason, regardless of whether doing so does or does not come easily to me.

There are moments in which it sounds as if Kant thinks it is somehow better if performing my duty does not come easily to me. He says this not because such an inner struggle raises the moral worth of my action, but because it demonstrates the strength of virtue, which stands out most vividly when it perseveres in the face of sensuous opposition. Other times it sounds as if Kant thinks it is simply impossible for us to make duty an easy matter, given our fallen condition. In a revealing passage from the *Metaphysics of Morals*, Kant suggests that we can never eradicate this reluctance on our part:

The moral imperative makes this constraint known through the categorical nature of its pronouncement (the unconditional ought). Such constraint, therefore, does not apply to rational beings as such (there could also be *holy* ones) but rather to *human beings*, rational *natural* beings, who are unholy enough that pleasure can induce them to break the moral law, even though they recognize its authority; and even when they do obey the law, they do it *reluctantly* [*ungern*]...and it is in this that such *constraint* properly consists.⁴⁰

But I do not think we need to emphasize these moments in order to understand Hegel's dissatisfaction with Kant's view. In other words, we do not need to charge Kant with idealizing the curmudgeon. Kant can very well admit that we should do our best to remove this reluctance by overcoming those pleasures that induce us to break the moral law. What he cannot admit is that it is somehow better from an ethical point of view that we do, namely, that we prove to be more virtuous (or only truly virtuous) when we do the right thing not just for the right reason, but without strain or restraint.

⁴⁰ Kant, *Metaphysics of Morals* 6:378.

Of course Hegel cannot with any plausibility be denying that doing the right thing can sometimes be demanding, nor can he be implying that whenever it is, our actions are thereby of lesser worth. What he contests is that someone can be called virtuous for whom principled action is a struggle. This is why Hegel in the end lauds the attitude Antigone exhibits, for her deed – albeit requiring great personal sacrifice – was nevertheless done with great decisiveness. Hegel even stresses that her decisiveness was not an artifact of any deliberate decision on her part. According to his famous characterization in the *Phenomenology of Spirit*, Antigone never chose to obey the divine law at the expense of its human counterpart. Though she was simply assigned to the former, her obedience displayed an unwavering commitment to its execution.⁴¹ But this is not the element of Antigone's attitude that Hegel lauds. He even suggests that Antigone was to a large extent in denial about her own implication in the divine law precisely because she assumed that nature was responsible for her commitment to it and thus she failed to see that it was a commitment she herself had made.

What is so great about Antigone, despite all of her limitations, is that she did not hesitate. Interestingly enough, Hegel explains this lack of hesitation not as evidence that she was plagued by no competing inclinations, but simply as a testament to the depth of her commitment to the law. At the end of the preceding chapter – one of his more scathing criticisms of Kantian ethics – Hegel contrasts the perspective involved in

⁴¹ “But the ethical consciousness knows, what it has to do, and it is decided [*entschieden*] whether to belong to the divine or to the human law. This immediacy of its decision [*Entscheidung*] is an being-in-itself [*Ansichsein*] and has therefore also the significance of a natural being, as we have seen; nature, and not the contingency or circumstances or choice (*Wahl*) assigns the one sex to the one, and the other to the other law” (PG §465). It is worth noting that Hegel describes this consciousness as *entschieden*, so decided, even though it never (takes itself) to have come to an *Entscheidung* or decision. Even if it did in some sense decide, there was nothing to deliberate about, and so the decision appears as an “immediate” one.

looking to test particular laws (by, say, the measure of the categorical imperative) with what he there also calls the ethical disposition, which “consists in sticking steadfast to what is right, and abstaining from all attempts to move or shake it, or derive it” (PG §347). Antigone enters the scene as the embodiment of Hegel’s preferred frame of mind. From her perspective, laws simply *are*. This means that she does not need first to inquire into the basis of their authority in order to know them to be valid. But it is not as if they simply are, out there, independently of her. Rather, she has integrated them to such an extent that they have become the “essence” of her self-consciousness. She and the laws have grown inseparable, for not only is her sense of self bound up with them, but their very survival as laws that continue to *be* is at stake in her action.

While it is clear that Hegel does not want us to blame nature for our commitment to the laws of modern ethical life, he nevertheless hopes to retain significant aspects of Antigone’s relation to those of her own social order. He even alludes to her in an opening paragraph of “Ethical Life” in his *Philosophy of Right*, suggesting that modern laws should similarly possess “being in and for themselves” for us, as the divine law did for Antigone. This means that we should not regard them as awaiting our validation, though we should *know* them to be valid, which is to say, be *convinced* of their goodness. It is this knowledge that makes our relation to them an expression of the ethical disposition, without which it would fall significantly short of subjective freedom.

But what proves our knowledge is not our ability to validate them, by subjecting them to a test of the Kantian sort, for example. Rather, what proves our knowledge is our commitment to them. And the more decisively we enact them, the more

convincingly we demonstrate our conviction in their goodness. It is this element of decisiveness that Antigone introduces and that Hegel finds missing in Kant. To return to this contrast with Kantian virtue, Hegel's point, I take it, is not that such decisiveness would embellish or enrich our dependability and consistency. It is rather that without it we cannot be said to be truly dependable and consistent in the first place. Even in cases in which our ethical disposition is grounded in a deliberate decision to lead a principled life, such a disposition cannot be acquired overnight, and this precisely because, as Hegel puts it, "what one has to do, one must do straight away without further hesitation" (LNR, 132). In other words, my commitment to ethical principles remains flimsy and unstable so long as heeding them does not come naturally to me, but remains labored and forced.

Though this goes beyond Hegel's own description, I want to suggest that the ethical disposition can be characterized as *whole-heartedness* in the sense of an undivided identification. Here I am deliberately alluding to Harry Frankfurt's well-known use of this term. Although Frankfurt makes somewhat different use of it,⁴² he nevertheless seems to have a similar phenomenon in mind, and his is the kind of relation that Hegel also advocates. In Hegel's words, "[Ethical laws] are not something alien to the subject, rather the subject bears a witness of spirit to them as to its own essence, in which it has its self-feeling and wherein it lives as in an element indistinguishable from itself – a relation that is more identical than even faith and trust" (PR §147). Although this

⁴² For example, for Frankfurt in his paper "Identification and Wholeheartedness" the objects of whole-hearted commitment are some among our first-order desires, which we reflectively permit to motivate our will. First of all, Hegel is not concerned with our commitments to particular desires, but to ethical principles. Secondly, for Hegel it is not essential that this commitment be made at a reflective, or "second-order" level. So even though I am drawing on this term, I admit that the analogy with Frankfurt is far from perfect.

language of identification is quite strong, Hegel's point is not that the virtuous agent cannot distance herself from the laws in question, should the need for such distancing arise.⁴³ It is that she has integrated these laws into her sense of who she is – into her very nature – so that she ceases to look upon them as imperatives or limitations on her will. This is for Hegel to be fully free in her adherence to them.

If we think of the ethical disposition in terms of whole-heartedness, I think we can get a better sense of why habit becomes indispensable to virtue on this account. The view I am ascribing to Hegel is something like the following: my commitment to a principle proves whole-hearted only when I no longer need to remind myself of what it is in order to live it out. To put this slightly differently, if I have to call to mind my duty whenever I am called upon to act, then the “revolution of my heart” was half-hearted at best, arrested at the level of wishful thinking. As Hegel points out, to identify with my duty is to see it no longer as a mere duty, a duty in the abstract sense. At that point, doing what I ought to will have become second nature to me, and my conduct will exhibit a principled consistency and committed stability precisely in being decisive, unhesitating, and seemingly natural. While habit is admittedly not always a sign of a whole-hearted commitment, a commitment without it is not yet a genuine commitment, for it has not yet become internalized, incorporated, and made one's own.

Although I think this line of argument does raise a largely internal challenge to Kant, it becomes all the clearer why virtue might require a commitment of a whole-hearted kind as soon as we leave Kant's starting point even farther behind. Because Kantian principles are authored by me and so have their origin in my individual will, the

⁴³ As I will elaborate in the third chapter, this would not hold true of Antigone, only of the modern agent.

issue of my identification with them does not arise in quite the same way as it does for Hegel, who believes that I initially discover them as the laws of the social order into which I am born. This means that Hegel must explain how I am ever able to identify with these laws to such an extent that they look to me no different than if I myself had authored them, though I did not. So the “simple identification” to which Hegel’s contentious passage refers is from his point of view not in any tension with subjective freedom, but articulates a difficult, though essential requirement for the realization of subjective freedom.

In light of this requirement, it is not surprising that Hegel thinks habituation might be up to the task of bridging the initial gap between the objective and the subjective and thus shedding the external guise in which laws at first appear. Habituation is after all a process of appropriation, of giving myself determinations that I can consequently regard as posited by my will, and so paradigmatically a process of “inheriting, earning, and owning”⁴⁴, to borrow another commentator’s phrase. Hegel makes a similar point in the “Anthropology”, when he states in rather strong terms that “habit is what is most essential to the existence of everything spiritual in the individual subject... so that the content, religious, moral, etc. can belong to him as *this* self, *this* soul, and no other” (E §410). His point seems to be conversely that without habit this content could never belong to me, but would remain from my perspective something imposed from without.

⁴⁴ Moland (2003).

This also explains why habituation is for Hegel indispensable to good upbringing in a way that it could not be for Kant. As Hegel states, “education (*Erziehung*) consists only in becoming suitable to the world, but in such a way that one grasps it internally. One becomes accustomed (*gewöhnt*) to this or that, one only receives it. Thus his transformation (*Umbildung*) towards the customs (*Sitten*) is not a limitation on the individual. It is his liberation. It would be a limitation only if I wanted something else” (VPR, 89). So becoming virtuous must for Hegel involve a transformative process in which I go from merely *receiving* the laws of the social world to *grasping* them internally. Though this process is as gradual as habituation itself, in it I am growing increasingly convinced that these laws are right and good because I am growing increasingly committed to them as my own subjective principles of action.

At the same time it is not yet clear why this transformative process must culminate in the habit of the ethical. Even if we accept these considerations in favor of whole-heartedness and concede that a self-conscious decision on its own would not be enough, we are entitled to conclude only that habituation must comprise an important stage in the cultivation of virtue, and not that in the end being virtuous consists in habitual action. Habit after all poses a difficulty that Hegel seems to have to acknowledge, for he follows Kant in depicting habit as a blind mechanism operating independently of the intellect and will of the agent. Given that Hegel shares this anthropological picture, it continues to look like acting out of habit is fundamentally incompatible with deliberate adherence to principles, and so it remains unclear how doing the right thing can ever become habitual without ceasing to be an expression of virtue at all. The aim of this transformative process is supposed to be an internal *grasp* of

ethical laws, and not a relapse to a relation of immediacy from which I am no longer even conscious of which laws I am following, let alone whether they are good ones to follow.

IV. Principled Habits

In order to address this question, we need to return to the standard reading and reconsider whether Hegel's anthropological account really does compel him to dismiss fully formed habit as essentially unfree. Hegel certainly does describe many of our habits in these terms, as being akin to reflexes that, even when freely acquired, are no less automatic than their merely natural counterpart. His example is the habit of standing upright, a behavior to which we are by now so accustomed that we hardly notice we are engaging in it. And this might even hold true of many of our skilled behaviors, such as knitting. When someone first learns how to knit, she has to pay considerable attention to the movement of her hands, making sure she does not drop a stitch, or take the yarn from the wrong side of the needle. She has to learn to distinguish a knit from a purl. When knitting has become second nature to her, she can twist those needles back and forth while carrying on a conversation about the guise of the good.

But even though many of our habits may be mechanical in similar ways, a closer look at the "Anthropology" reveals a richer understanding of the range of habits of which we are capable. While Hegel focuses on those habits we might be said to share with non-human animals, he does at crucial points suggest that human habits do exhibit a more complex structure that sets them apart from merely fixed behavioral dispositions, even if some of our behaviors – like standing upright – do exhibit that character. What

is important about these human habits is that exercising them requires a certain employment of our intellect that makes the necessity they impose on our behavior distinctly normative.

I think such a structure is already visible in many of our skills. While it is true that, when I become skilled in a certain activity, I no longer need to think about every movement I make, this does not mean that I am unaware of what I am doing or why I am doing it. The difference is that I now conceive of my own action as a single process, rather than as a sequence of discrete steps.⁴⁵ Moreover, my awareness of my own action is mediated in a further way. An agent puts her skills to use in pursuit of certain ends that direct her activity as a whole, including those movements of which she is unconscious. We have already seen that the skilled body becomes an instrument for the attainment of these ends. But skills are rarely mere means to extrinsic ends, for they become part of one's identity. When I learn how to play the piano, I not only make my body into a better tool for producing melodies, I also come to conceive of myself as a piano player. It is in virtue of this identity that I care to play *well*, and not merely "efficiently," and thus to subject my activity to musical norms. In this way skilled actions can be guided by a determinate self-conception that is formed through habituation and in turn manifested in habitual conduct.⁴⁶ As unconscious as various aspects of my activity may become, this activity as a whole remains nonetheless

⁴⁵ "This [general manner of conduct] is one which is integrated into a simplicity to such an extent that in it I am no longer conscious of the particular differences among my individual activities" (E §410A).

⁴⁶ As Hegel puts it, "In habit the human being relates himself not to contingent and singular emotions, representations, desires, etc., but to himself, to a general manner of acting (*allgemeine Weise des Tuns*) that is posited through himself and that has become his own, and this is why he appears as free" (E §410A).

expressive of a self-conception, moreover of a self-conception to which only habit entitles me.

What really complicates the standard reading, however, is the role Hegel ultimately reserves for the presence of consciousness in habitual conduct itself. I take this to be the true lesson of his anthropological account, one that is initially obscured by a picture that looks rather generic and that for this reason seems to have remained effectively buried within this account.⁴⁷ Although Hegel does emphasize that habit frees up our minds for other matters, he also challenges the stark antithesis between habit and attention that is presupposed by his contemporaries. This antithesis is once again especially pronounced in Kant's *Anthropology*. Kant writes that attention is only enlivened "through the *new...Everyday life* or the *familiar* extinguishes it."⁴⁸ Through repetition, habituation familiarizes us with our environment, making us inattentive to our surroundings. It is the encounter with something unfamiliar that ruptures our habituated expectations and so enlivens our attention. As we will see, Hegel does not deny that habit has this tendency towards inattentiveness, which he describes as its deadening effect. But he nevertheless suggests that certain habits seem to require that the mind be both present and absent at once, and not that one come at the exclusion of the other.⁴⁹

The crowning illustration of this structure is for Hegel the habit of writing. In fact his description of writing turns out to be especially illuminating for our purposes.

⁴⁷ I have not come across another interpretation that notes, let alone explains, this aspect of Hegel's account.

⁴⁸ Kant, *Anthropology from a Pragmatic Point of View*, 7:163.

⁴⁹ "Thus we see that in habit our consciousness is at the same time present in the thing, is interested in it and conversely nevertheless is absent from it, is indifferent to it" (E §410A).

As we learn how to write, we admittedly grow oblivious of the particular features that distinguish one instance from another. But through this very same training, we likewise become attentive to what these diverse instances share. In a highly rich and revealing passage, Hegel writes, “if the activity of writing has become a habit, then our self has so completely mastered all of the relevant details, has so infected them with its universality, that they are no longer present to us as peculiarities and we only have the universal before our eyes” (E §410A). Here our behavior is not simply unconscious, for in it the mind is *both* present and absent, interested and indifferent. One could say that such behavior expresses a grasp of how to proceed from one instance to the next in a consistent manner.

Hegel explains this double-aspect through the concept of a “rule,” since following rules requires simultaneous attention to commonalities and disregard for difference in exactly this way. But the term “rule” may strike us as misleading, for when an agent has acquired the relevant habit, the rule itself becomes dispensable. In fact habit indicates that the agent has internalized the rule to such an extent that she has no further use for it. Sometimes rules are useful during the process of habituation, for I may need to think about the rules for placing commas before I am successful at putting them in the right places. But it looks as if, even when rules serve such an educational purpose, habituation is complete only when we know how to go on without their aid. So when we learn how to write, we are taught syntactic, grammatical, and stylistic rules, but once writing has become second nature to us, we no longer need to continually rehearse the Chicago Manual of Style. It is for this reason that Hegel describes habit as

possessing “the form of recollection” (E §410A) – once we acquire the habit, the rule itself recedes into memory and formulating it would require calling it back to mind.

But Hegel’s point, I take it, is that rules have not thereby ceased to guide our behavior. Let me explain what this means with the help of Gilbert Ryle, who makes a similar point through the example of the skilled arithmetician: “In a certain sense of ‘think’ he never thinks of the rules. In another sense of the word, however, he is thinking of the rules all the time; for he is continually applying them currently and skillfully. The rules are now *habits* of operating.”⁵⁰ This skilled arithmetician seems to resemble the habitual writer, for both are keeping the rules in mind precisely because they need no further reminders. So in one sense, a habitual writer does not think about them, but in another sense, she is thinking of nothing else, for her gaze is now directed away from the particular and solely toward the universal aspects of what lies before her. As we can see, when it comes to habits with such a normative structure, Hegel admits that these are guided by insight into how to proceed, though this insight is an implicit one. Rather than applying the universal to the particular, she recognizes the universal in the particular even while her attention remains fully absorbed by the specific situation at hand.

At this point it is helpful to recall how Hegel characterizes ethical insight, namely the kind of insight that should motivate us to act. He objects to the motive of duty and to that of inclination on similar grounds, because he regards them both as products of abstraction, of turning our attention away from the situation in which we find ourselves

⁵⁰ Ryle (2009a), 36-37.

and toward aspects of our inner lives. So the thought of what I ought to do as such is for him no less an artifact of excessive introspection than the thought of what I want to do. Rather, what should move us to act is *die Sache*, which I spelled out as the universal made concrete in the specific situation confronting me. Now we see that it is precisely habit that directs our attention toward *die Sache* in the right way, for habit crowds out abstract considerations about the law as a law and its tentative applicability by fixing our gaze on what really matters, namely, its manifestation here and now. In other words, habit overcomes the abstract form of the law without sacrificing its universality. But Hegel understands this universality differently from Kant. A law is universal not because it is binding on all rational beings, nor because it conforms to sheer lawfulness as such, but because its enactment bears on the survival of the rational social order, so of our form of ethical life. So this law does not need to be anything grander than, say, a professional code.

In order to illustrate how this might work, let us return to an earlier example, a physician committed to the Hippocratic Oath. As a first-year medical student, she participates in something called the “white coat ceremony,” during which she is asked to recite this oath, to call to mind its explicit formulations, and to note which types of actions it commands and which it prohibits. But even though the oath outlines the code of conduct to which her profession commits her, it would be very odd if she needed to run through its provisions whenever faced with a patient. Once she becomes a doctor, her conduct itself becomes an expression of the code. One might say that the rules it contains have become her second nature. And this seems to be true even in professions that lack a ceremonious oath of this kind. In my capacity as a teacher, I have made a

habit of giving extensive feedback on student papers, perhaps more extensive than they are in a position to appreciate. I do this because I think students deserve to receive feedback that is at least as thoughtful as the papers they submit, and to benefit from whatever expertise I might have. I take this to be a pedagogical principle inscribed into my role, though it is not a principle I often feel the need to invoke, for when I grade papers, I simply am a teacher, and not playing the part.

It is nevertheless crucial for Hegel that internalizing rules in this way does not amount to dispensing with them for good, for it must at least be possible for us to translate our habits back into rule-like form, even if we as a matter of fact rarely do so. Despite the privileged status he accords the habit of the ethical, it is this translatability that limits the extent to which Hegel can be read as a new-Aristotelian on this front. Although I did not stress this connection, there is an obvious way in which the conception of virtue I have been ascribing to Hegel does deliberately overlap with that of Aristotle. As we have already seen, both hold that habituation must comprise a significant component of moral education. Moreover, both might accuse Kantian virtue as being mere *continence*, namely self-control in the face of contrary inclinations, rather than concord between the rational and the non-rational parts of the soul.⁵¹ But Hegel does retain Kantian elements worth highlighting, specifically the continued significance of principles, even once these have become submerged into our habitual conduct. This is something that seems to be absent from Aristotle's account, since virtue for Aristotle

⁵¹ See Baxley (2010), 40 – 46.

consists in knowledge of particulars and so possesses a content that cannot be captured “under any set of rules”.⁵²

In order to get a better sense of the ground between Kant and Aristotle that Hegel attempts to occupy, it might be helpful to contrast his view with one that may at first glance look much like it, the form of neo-Aristotelianism advanced by John McDowell. Like Hegel, McDowell foregrounds the significance of second nature and insists on its indispensable role in ethical action. The virtuous agent, according to McDowell, simply knows how to respond to a particular situation without needing first to call to mind general rules of conduct. Her behavior, even if not thoroughly habitual, is nevertheless largely unreflective, though the mind remains at work in it. Once we have acquired the right second nature, “the practical intellect does not dictate to one’s formed character – one’s nature as it has become – from the outside. One’s formed practical intellect – which is operative in one’s character-revealing behavior – just is an aspect of one’s nature as it has become”.⁵³

So far McDowell does echo the Hegel I have been presenting, for Hegel likewise holds that ethical habits are guided by an insight of a certain sort. But this is as far as their agreement extends. In his paper “Virtue and Reason,” McDowell argues that the insight constitutive of virtue cannot at all be captured in general rules. He calls it “uncodifiable,” by which he means that it resists being translated back into a code. So the virtuous agent knows what to do not just without needing to invoke rules

⁵² Aristotle, *Nicomachean Ethics*, 1104a7.

⁵³ McDowell (1998c), 186.

prospectively, but also without being retrospectively able to explicate what she knows in rule-like form. According to McDowell, to think otherwise is to fall prey to a prejudice about the nature of reason – “the idea that acting in the light of a specific conception of rationality must be explicable in terms of being guided by a formulable universal principle”.⁵⁴ Independently of how strong McDowell’s argument in favor of uncodifiability may be – and it seems to be rather weak⁵⁵ – there are reasons to worry about the implications of such a view, reasons that I think an engagement with Hegel can bring to our attention.

First of all, Hegel deems it important that ethical knowledge not be esoteric, limited to those who are already virtuous. We must be able to communicate what it is that we know when we want to explain or justify our actions to others. It would not be satisfactory if all we could say were, “you have to see things the way I see them.” Sometimes it sounds as if this is all that McDowell’s virtuous agent can ultimately say, given that the relevant insight is a matter of perception, and given that its content is inextricably wedded to the particular context at hand. But for Hegel this would be to conflate virtue and virtuosity, even if the virtuosity in question is not a natural talent, but a skill cultivated through good upbringing. As crucial as good upbringing may be in first enabling us to make ethical judgments, it cannot be a condition for understanding these

⁵⁴ McDowell (1998d), 58.

⁵⁵ McDowell enlists Wittgenstein’s rule-following skepticism in order to argue for the uncodifiability of ethical knowledge. But he seems to overestimate the reach of this skepticism. Just because rules do not interpret themselves and depend on perception and judgment does not mean that they are impotent in guiding conduct at all. Wittgenstein is contesting only a certain philosophical conception of rules. And he certainly does not advocate that we stop thinking of mathematics – his primary example – as a rule-governed practice. This criticism of McDowell can be found in Wallace (2006).

judgments, even when made by someone else. This means that as a virtuous agent I must be capable of formulating my insight in terms sufficiently general to become intelligible to others, especially to those affected by my deeds.

But there is a further reason why it is important for Hegel that ethical knowledge be codifiable. Even if we do not need to lean on principles very often in our lives, he thinks we need them should we stumble upon an unfamiliar situation, one in which we are unable to proceed “naturally,” or should there be a reason to question the ways we would otherwise “naturally” proceed. Here I have two slightly different scenarios in mind. The first involves finding myself in a situation that is sufficiently unfamiliar that I cannot simply react as I otherwise would, but need first to pause and to deliberate about how to approach it. It is not far-fetched to think that this process of deliberation would in large part involve determining how to stay true to the principle that has been at work in my previous responses. Even if the principle in question fails to guide the next step, I will still need to be able to articulate what it is in order to decide whether it can continue to provide guidance in this new context.

The second scenario arises quite easily out of the first. Here I discover that the new context shows that the principle in question needs to be put into question. More specifically, I realize that the new situation challenges the legitimacy of my previous principle and compels me to reassess my commitment to it. I think that this is in the end Hegel’s central concern. In short, he holds that we need to be able to revert to principles when our habitual modes of engagement are shown to be in need of reevaluation, perhaps even revision. So principles are essential in contexts of critique, for they are the kinds of objects that we can come to assess in a critical light. While

McDowell does insist on the possibility of criticizing aspects of our second nature, it is not surprising that he has notably little to say about what this would involve.⁵⁶ Because of the way he conceives of our second nature, it looks like it can at best change behind our backs and cannot be turned into an explicit target of critical reflection.

But for Hegel this is precisely why we cannot and should not abandon principles without too high a cost. So we could say that their primary function is to ensure not stability in our conduct, but openness to normative change.⁵⁷ Even when it turns out that the principles we currently have cannot be adequately extended into new contexts, having them, no matter how inadequate they may be, enables us to ask ourselves how to improve them. Perhaps we only need to invoke them in those moments in which they fail, but for Hegel this still means that there must be a translatability between habits and principles, that it must be possible for us to move from one form that the ethical can take to the other. So in insisting on this translatability, Hegel is likewise asserting that habits and principles are ultimately not so very different in kind. As he puts it, “When the ethical is actual in individuals, then it is the soul in general, the general manner of their activity. On the one hand, it can be expressed as a law, but what the law is, is the manner of actuality; it is second nature” (VPR, 88).

While we might assume that having an explicit grasp of principles is superior to the insight that habit involves because it would make us more conscious of what we are

⁵⁶ Here I have in mind McDowell’s image of Neurath’s ship, which is supposed to explain how we can reflect about our norms without needing to step outside of our normative framework. See for example McDowell (1996), 81. This is a conception of reflection that I will address in the third chapter.

⁵⁷ Barbara Hermann cites a similar reason in favor of Kant’s view of character against Aristotles, suggesting that principles have the advantage of keeping the Kantian agent open to new moral phenomena. See Hermann (2007b).

doing in following them, this does not seem to be Hegel's view. Ethical knowledge for Hegel requires a practical expression, for I cannot claim to know something I do not express in my action, nor can I claim to know something I express in isolated or sporadic deeds.⁵⁸ I know only as much and as little as I display in my conduct as a whole. This for Hegel implies that to be convinced in the goodness of certain principles is to have incorporated them into my nature and in this way overcome any lingering doubts.⁵⁹

V. Life and Death

My aim up to this point has been to show that habit in Hegel's estimation is not a provisional form that the ethical may or may not take, but that the habit of the ethical is the final form of subjective freedom. He esteems it so highly because, when the ethical has become habitual to me, it means that I have incorporated certain principles to such an extent that I know both who I am and what I ought to do in one and the same stroke. It is then that "the human being knows the law, but not as something foreign, but

⁵⁸ This view is similar to the conception of moral authorship that Sabina Lovibond (2004) proposes. She tries to defend Socrates' claim that *akrasia* is a form of ignorance by distinguishing between knowing something and merely believing that you know it. The weak-willed agent might say, "I know that smoking is bad, but I can't help myself." But in failing to act on the belief he is avowing, he reveals that he does not really know it, that this belief is merely a mouthpiece for public opinion. Lovibond argues that someone is an author of his moral judgments only when what he claims to know has become part of his nature and he is immediately motivated by his judgments, whereas the *akratic* person is a mere "actor" who mimics what he has heard others say. Lovibond concludes that the aim of ethical formation is to cultivate such authorship.

⁵⁹ Nietzsche suggests a similar conception of incorporated knowledge: "the strength of knowledge does not depend on its degree of truth but on its age, on the degree to which it has been incorporated, on its character as a condition of life... knowledge became a piece of life itself... To what extent can truth endure incorporation? That is the question; that is the experiment." (*Gay Science*, §110) Though Hegel would deny that knowledge has only little to do with truth, he would agree with Nietzsche that knowledge is only knowledge in the full sense once it has become a "piece of life itself."

instead as his own. It is not even a relation of belief, for in it we are already positing a kind of reflection, but rather it is that in which individuals have their self-feeling, in which they know themselves” (VPR, 87). Hegel hopes to clarify this unreflective relation through a telling analogy with first nature: “The subjective knows [the ethical] as the objective, but it is its own, wherein it lives (fish in the water – lung and air)” VPR, 85). Although we are not (unlike fish in the water) “blindly” immersed in ethical life, we have nevertheless overcome our reluctance to take part in it and so see no need for further reflection. As Hegel puts it, “it is thus also their soul, their nature – freedom, which has become necessity” (VPR, 88).

That said, I admit that this conclusion could leave us dissatisfied. Even if we accept that it accurately captures Hegel’s position, we might nevertheless question whether it represents a desirable aspiration in the first place, whether whole-heartedness in our commitment to the ethical is worth cultivating, if it tends to crowd out reflection. But we might also question whether this is even Hegel’s considered view. Habit as Hegel casts it was from the very outset entangled in a “dialectic” of freedom and necessity and so positioned inside an ongoing negotiation between the two, whereas such a seamless transformation of freedom into necessity would seem to bring this dialectic to a definite halt. In conclusion I want to reconsider whether my reconstruction of Hegel’s own position has been too neat and whether there are not ultimately better reasons to read Hegel on habit along the standard line.

A more sophisticated version of this line has been advanced by Christoph Menke, who argues that Hegel wants to make very different use of the concept of second nature than the use Aristotelians make of it – and than the use I take Hegel to be

making of it as well. According to Menke, second nature is not meant to refer a positive ethical achievement at all. It is rather a “critical concept,” in fact, a concept whose function is to critique the Kantian picture of freedom on deeper grounds. On one level Menke seems to be in agreement with me that Hegel thinks subjective freedom requires second nature for its actualization and that Hegel faults Kant for failing to see this. But all this demonstrates, Menke thinks, is that there is something fundamentally flawed about subjective freedom, if it can only be actualized through second nature. So Hegel invokes second nature as the punch line of an antinomy, so to speak, in order to show that freedom so conceived necessarily results in its very opposite, unfreedom.⁶⁰ What makes Menke’s version more sophisticated than others is that he does not argue that habit must therefore comprise a transitional stage that is to be surpassed in pursuit of even higher forms of freedom. According to Menke, habit in all its limitations is here to stay.

I admit that this reading has significant virtues. It could be considered more convincing on independent grounds, because it may strike us as a more realistic assessment of the habit of the ethical, one that refuses to idealize it in the way I may have done. It could also be considered more convincing as a reading of Hegel, for it takes into account Hegel’s persistent ambivalence toward habit. And it seems fairly undeniable that Hegel continues to speak about habit in critical terms well beyond the

⁶⁰ See Menke (2010): “‘Natürliches Bestimmsein’ des Subjekts heisst, dass sein Wille von natürlichen vorgegebenen Bestimmungen determiniert ist. ‘Natürliche Verfassung’ des Geistes dagegen heisst, dass er *in sich selbst* naturhaft ist. Die Unfreiheit, von der der Geist sich im Werden seiner autonomen Gestalt befreit, besteht nicht darin, dass er von aussen durch Natur bestimmt ist, sondern *wie* oder *als* Natur erscheint: Unfrei ist der in Natur *verkehrte* Geist. Damit wird der Begriff der ‘zweiten Natur’, im Unterschied zur aristotelischen Tradition, zu einem kritischen Begriff” (687 – 688).

“Anthropology.” Even in the *Philosophy of Right* he concludes his identification of the ethical and the habitual with the following warning:

The human being also dies out of habit, that is, if he has become completely habituated [*eingewohnt*] to life and has become spiritually and physically blunted, and the opposition between subjective consciousness and spiritual activity has disappeared, for the human being is active only insofar as he has not yet attained something and wants to exert and prove himself in relation to it. When this has been achieved, the activity and vitality disappear, and the indifference [*Interesselosigkeit*] that ensues is spiritual or physical death (PR §151A).

Although Menke does not explicitly refer to this passage, it would seem to confirm the pessimistic appraisal he ascribes to Hegel. Hegel is here reminding us that there is something pernicious about all habit that even the habit of the ethical cannot completely shake, and it would not be unreasonable to suspect that the relevant danger is the specter of unfreedom that haunts habit from the start.

While I do want to take this passage seriously as a warning against any uncritical idealization of second nature, I am not convinced that it makes second nature into a critical concept either. So let us try to clarify of what Hegel is warning us. To start we need to ask why Hegel links habit with *death* and how literally we are to take talk of this kind. If the problem with habit lies in its resemblance to first nature, it should surprise us that Hegel is not associating it with *life* instead. After all, it is living creatures that acquire habits and it is habits that enable them to stay alive. This seems to be as true of us as it is of animals, for in both of our cases habit can serve the end of survival, whether our individual survival or the survival of whatever larger group each of us is a part. But it is worth recalling something I previously noted only in passing: that even in the context of the “Anthropology” habit does not have an unproblematic connection to organic life. Recall that Hegel there characterizes habit as “mechanical” and so subject

to a form of necessity that is lower than the kind of necessity imposed by natural instinct. A mechanical behavior is automatic and so resembles the motion of a mere machine, rather than that of a living organism, which must be more sensitive to changes in its environment and thus be able to respond to its environment in more flexible ways if it is to survive. So it looks like the mechanism that habit introduces, specifically the rigid movements it instills, can conflict with the ends of life.

If we take this talk of death to be an allusion to this mechanical side of habit, we need to ask what it could mean to describe the habit of the ethical as similarly mechanical, especially if we conceded that it is not reducible to mere behavioral dispositions. In a rather straightforward sense, it could mean that the habit of the ethical imposes a rigid frame of mind that makes us incapable of adjusting to new ethical contexts and of altering our old ways in the face of social change. Although this might not be a perpetual problem in the modern social order, it would become a problem in contexts of critique of the kind I mentioned. In those contexts, the translatability between habits and principles would become even more difficult than I indicated, for it would be further hindered by the resistance imposed by our habits themselves, and not merely by the fact we have long forgotten the explicit principles underlying them. If the habit of the ethical proves to be resilient in this way, then it could potentially threaten our social survival, because it would, simply put, make us inadaptably to changing circumstances. But since it is not yet unclear how seriously Hegel took the prospect that modern ethical life might require changes substantial enough to conflict with our habitual modes of conduct, we would first need to examine whether he even allows room for these contexts of critique.

There is, however, a different sense in which the habit of the ethical could be considered mechanical in a more problematic way. Even in the absence of changing circumstances, we could become so thoroughly habituated to our world that this world grows dead to us. It might not be a danger that animals face, but it is the one I think Hegel fears most. In other words, we could become so accustomed to doing the right thing that we cease to do it because it is right, but because we have a habit of doing it. It would be to act out of *mere* habit, no longer moved by *die Sache* at all. What we habitually do would then turn into an empty ritual, detached from any ethical significance it might have once possessed. This need not threaten my own individual survival, for I might very well remain perfectly adept at responding appropriately to my circumstances. But it could threaten the survival of the social order as a form of ethical *life*, and so an embodiment of the “living good” (PR §142) that we are committed to sustaining.

Even if we read Hegel’s warning in this way, it is not clear how seriously we are to take it. Is Hegel suggesting that habit always turns into mere habit, that this is its inevitable course, even if it begins as an adequate expression of subjective freedom? This would make second nature into the punch line of an antinomy, proving that it is impossible to actualize freedom without producing unfreedom in its stead. But given that he confines it to the Addition, I do not think Hegel means to be making a suggestion this strong, one that would systematically invert the main claim of the paragraph. Rather, I take him to be saying something less fatal about the structure of habit, though equally troublesome. I take him to be articulating a tendency internal to habit, a tendency that it must (and *can*) ward against, for all habit does indeed incline in the direction of mere habit, though it is not therefore doomed to this fate. I do not

think this amendment is at odds with my reconstruction, for it is simply part and parcel of the complexity of Hegel's position. On the one hand he does think that habit can express freedom most fully. On the other hand he also thinks that habit always retains the possibility to ceasing to express freedom at all. This seems to hold true even of the habit of the ethical, which might be our highest achievement, but which is a necessarily fragile one nonetheless.

Chapter 2

Culture

Even though Hegel privileges a habitual comportment within ethical life, this is not all that social participation amounts to for him. Being an active participant in the practices of ethical life turns out to involve a higher degree of reflection than habit on its own incorporates. It involves, for one, a critical engagement with our practices, should they call for such an engagement. But even when reflection does not take the form of criticism, it remains a crucial, though largely inconspicuous aspect of social participation. This is in part why the dangers that habit introduces are not so worrisome after all. According to Hegel, we are never merely unreflectively immersed in ethical life. Rather,

we partake in shaping the very practices in which we immerse ourselves. This process of shaping practices is one he associates with culture. Just like the process of habituation, it contains a moment of reflection. Unlike habituation, however, it establishes a relation to our practices that is itself more overtly reflective than the one introduced by habit, in which reflection is initially employed but eventually overcome. So the habit of the ethical, even if it is conceived as sufficiently sighted to counter many of the aforementioned charges, needs to be supplemented and tempered by culture. In this chapter I will offer a Hegelian account of culture in the context of modern ethical life.

There are several difficulties one faces when giving such an account on Hegelian grounds. First of all, Hegel himself does not provide a unified conception of what might be categorized as “culture” in the relevant sense. There is a cluster of related terms within his vocabulary. *Kultur* is the most obvious equivalent, but it is not a term he himself employs. Rather, he prefers to talk in terms of *Bildung*, which refers both to the process of acculturation and cultural formation as well as to culture as its end product. Then there are cultural forms associated with the domain of “Absolute Spirit,” notably art and religion, though also philosophy (which will be the subject matter of my fourth chapter). While these are in a sense our highest cultural achievements, they do not represent the whole of culture. There are more mundane practices that fall within what we might call culture and it is they that seem to be the main concern of the *Philosophy of Right*. But my effort to give a Hegelian account of culture will take all of these terms into consideration, as varied as they may seem. My reason for attempting to provide such a unified account has to do with the phenomenon I want to illuminate, namely the phenomenon of cultural participation. Even though cultural participation can take a

variety of forms – hence the variety of terms Hegel employs to capture “culture” – I hope to show that these forms exhibit a consistently reflective structure throughout.

The other difficulty concerns any effort to give such an account in the context of modern ethical life in particular. Now, I admit that to speak of culture in this context may strike many as odd, given that it is not a term that Hegel himself employs in the *Philosophy of Right*. He speaks neither of *Kultur* nor explicitly of *Bildung* (except, as we will see, in his treatment of civil society). And the domain of “Absolute Spirit” is not officially integrated into that account either. So my claim that culture plays not only some role, but a vital one at that, must first be justified. I think one reason to think that ethical life includes culture has to do with Hegel’s way of talking about social practices, which he tends to call *Sitten* or customs,⁶¹ a term that is frequently associated with concepts like culture, or more disconcertingly, tradition. Thus his use of it has raised concerns in many respects similar to those invited by habit. Insofar as “custom” refers to some *given* set of practices, it suggests something we are habituated to heed, which could suggest that Hegel is advocating blind conformity with whatever traditions happen to be in place, one that is incompatible with any evaluation of them.⁶² Hegel may even look like a traditionalist about custom.

Traditionalism is generally understood to be a conservative response to social change, privileging whatever practices are already in place. Traditionalists claim that

⁶¹ This is the root of *Sittlichkeit*. Although it is a term that is quite common in German usage and simply means “morality” (as in Kant), Hegel means to distinguish it from *Moralität* and to invite the association with custom.

⁶² Here the term “blind” has slightly different connotations than those we have seen in the previous chapter. But it does not necessarily mean the same thing as “uncritical” either. Rather, a blind immersion would be one that is not evaluative at all, so neither affirming nor rejecting the practice in question.

these practices ought to be preserved because they are traditional, and sometimes they argue that they ought to be preserved because they are part of a particular culture, namely one's own. In asserting that ethical conduct consists in habitual conformity to custom, it may seem as if Hegel is assigning a normative role to culture as such. Here the status of culture is closely bound up with the issue of reflection. Traditionalism would seem to insulate given customs from reflective scrutiny and to treat them as immune to any form of re-evaluation. So another way to put this would be to say that Hegel is in effect promoting an unreflective perpetuation of customary practices, as opposed to a reflective attitude towards custom, which could issue in social change. According to this interpretation, Hegel espouses a conception of culture as a static and fixed set of customs that have immediate and absolute authority over our conduct.

This was until relatively recently the standard reading of the *Philosophy of Right*. As W. H. Walsh writes in 1969, “[Hegel’s] attitude is rather that, because [a principle] succeeded in getting itself accepted, it must have been right.”⁶³ Walsh seems to read Hegel as a traditionalist – although he himself does not use this term – who holds that we ought to adhere to whatever principles happen to be accepted simply because they have been accepted. He goes on to argue that this makes Hegel a relativist who denies that there is an impartial perspective from which to evaluate the customs of a particular community. According to Walsh, Hegel is not doing ethics proper but engaging in a purely descriptive enterprise which Walsh characterizes as a “sociology” of ethics.

⁶³ Walsh (1969), 54.

Although few scholars still interpret Hegel in this way, such readings have been widely influential. Along similar lines Hegel has frequently been cited as an inspiration to communitarianism. Communitarians tend to be especially accommodating to traditionalism, for they defend the requests made by particular communities to maintain their local practices, even when these practices look to be objectionable to outsiders. Communitarianism is primarily a school of political thought because it emphasizes the role that the state ought to play in protecting the cultures of immigrant and other minority groups. Thus communitarians tend to speak in favor of cultural or group rights. But this school also introduces broader issues regarding the ethical role of culture. Alasdair MacIntyre, for example, argues in *After Virtue* that virtues can only be defined relative to a particular community with shared practices and that individual agents can only come to embody these virtues as members of such communities. Given the social fragmentation pervasive in modern political and economic institutions, MacIntyre calls for “the construction of local forms of community within which civility and the intellectual and moral life can be sustained through the dark ages which are already upon us.”⁶⁴ For MacIntyre, it is the preservation of particular traditions that has the power to save us from moral decline.⁶⁵ Although MacIntyre does not mention Hegel in this work, he seems to have been inspired by a Walshian-style reading of the *Philosophy*

⁶⁴ MacIntyre (1984), 261.

⁶⁵ Although MacIntyre is frequently read as a traditionalist, I do not think this is entire fair. For example, he advocates what he calls “living traditions,” which are not monolithic and which do incorporate a variety of voices about the ends and values of the tradition in question. In this respect I think MacIntyre is quite close to Hegel.

of Right according to which Hegel turns out to be a champion of traditionalism and thus a predecessor to contemporary communitarian projects.

But it was Charles Taylor who was most explicit in proposing a communitarian reading of Hegel himself. While his interpretation was important in reviving interest in Hegel's work, today it is largely discredited. I want to give a brief overview of his reading because, even though I ultimately disagree with Taylor, I think he does emphasize an important aspect of Hegel's view that is often overlooked. Taylor stresses the role of culture in Hegel's account of ethical life, arguing that Hegel recognizes membership in a particular culture to be a necessary condition for any meaningful human activity, for "what we are as human beings we are only in a cultural community."⁶⁶ In saying this, Taylor is not merely noting the fact that all human beings inhabit some culture or another, for he wants to make the more contentious claim that cultural membership provides us with the most important basis for social identification.

Taylor finds evidence for his reading in Hegel's views about internal differentiation.⁶⁷ According to Taylor, Hegel thinks that the state as a whole is too thin to serve as a source of identification and so needs to be internally differentiated into what he calls "estates" (*Stände*), which are smaller communities that are grounded in particular professional roles and inevitably come to differ in "culture, values, and modes

⁶⁶ Taylor (1979), 87.

⁶⁷ The lesson he takes from Hegel is that "differentiations of some fairly essential kinds are ineradicable... Moreover, they are recognized in our post-Romantic climate as essential to human identity. Men cannot simply identify themselves as men, but they define themselves more immediately by their partial community, cultural, linguistic, confessional and so on" (1979, 114). It is important for Taylor's argument that this differentiation cannot come merely at the institutional level (and so via our various *social* roles), but must come at the cultural level as well.

of life.”⁶⁸ From this Taylor draws the overtly communitarian conclusion that such communities “in turn demand a certain measure of autonomous life within each state.”⁶⁹ So Taylor’s concern is perhaps less in defending traditionalism or ascribing traditionalism to Hegel per se, and more in making room for cultural pluralism. According to his reading, Hegel’s account of ethical life must incorporate such pluralism in the form of diverse estates, which can be understood as relatively independent communities that coexist within a single state and that provide their members with the requisite basis for identification.

So in thinking about the status of culture in ethical life we are led to two sets of questions that are not in the end disconnected from each other. One set has to do with traditionalism and the extent to which our relation to custom can be a reflective one, rather than one of immersion. The other has to do with pluralism about customs and the extent to which Hegel’s conception of ethical life can accommodate such internal diversity in values and modes of life. Taylor’s communitarian reading seems to be more directly concerned with the second issue. At the same time, to insist upon pluralism in the way he does is to insist that these plural communities can legitimately perpetuate their customs without ever having to evaluate them. As far as his reading of Hegel is concerned, I think Taylor is exaggerating the role of culture in Hegel’s thought when he characterizes it as the most important basis for identification. It does strike me, however, that he is right to say that participation in a distinctly cultural community is an important ingredient of social participation, as Hegel understands it. So I do agree that

⁶⁸ Taylor (1979), 110.

⁶⁹ Ibid.

the function of estates is to introduce a certain level of cultural pluralism into ethical life, though perhaps not because ethical life on its own (and so likewise the state as such) fails as an adequate basis of identification. It seems to me that this function of estates is something that few other readings have sufficiently emphasized.

An example of the alternative reading, which is far more prominent today, can be found in Allen Wood. Wood admits that “Hegel’s conception of ethical life has often been interpreted as committing him to ethical relativism and traditionalism,” but given that “customs and traditions often represent a culture’s dead past (what Hegel calls ‘positivity’), the ethical advice it yields would often be wrong and without any rational foundation.”⁷⁰ According to Wood, Hegel’s project involves delineating universally valid standards that any form of ethical life would have to meet in order to count as ethical in the first place. So Hegel is not undertaking a merely descriptive endeavor of the kind Walsh ascribes to him. He is not engaging in a sociology of ethics, but in ethics proper. This means that Hegel takes himself to be offering the kind of rational foundation that can yield genuine ethical advice.⁷¹ While I am not convinced that such a rational foundation is meant to yield ethical advice exactly, I think Wood is right to point out that Hegel claims to be undertaking a normative project whose aim is to vindicate modern ethical life by demonstrating its rationality. I also think Wood is right in emphasizing that custom and tradition can recede into a dead past and so cease to serve

⁷⁰ Wood (1990), 195.

⁷¹ For example: “Hegel’s conception of the ethical is commonly understood to be an endorsement of cultural pluralism and relativism. But we have seen that on closer inspection it turns out to be just the opposite: a universal standard for ranking the rationality of different social orders” (Wood 1990, 205).

as a source of guidance. This is a threat that clearly preoccupied Hegel similarly to the deadening effects of habit.

But Hegel does give us a picture of what it means for a culture to be living and this picture is strikingly at odds with the kind of traditionalism that Wood fears. Where Wood goes wrong, I think, or at least where he tends to exaggerate, is in the implications he takes this project to have for Hegel's conception of modern ethical life and its flexibility with respect to the demands of culture. He states that, "[if] we look closely at Hegel's detailed discussion of modern ethical life, it is striking how little he concedes to ethnic diversity, how little room he leaves for the impact of varying cultural traditions on the social and political structures of modern states."⁷² He even goes so far as to say that Hegel is "an apostle of a single modern world culture founded on universal principles of reason"⁷³ and so rises above all particularity and diversity. I should note that it does seem right to me to say that Hegel is not intent on preserving ethnicity in modern ethical life. Hegel thinks that social participation transforms those customs we may have inherited in virtue of our ethnic heritage and introduces us into new communities whose shared bonds may no longer be ethnic ones. But this does not mean that these new communities do not share cultural bonds, bonds that are not less particular and diverse. In this sense I think Wood is neglecting the role of estates in retaining a level of pluralism within the bounds of a rational social order.

The bigger problem with Wood's reading, however, emerges at a higher level. Wood concludes that Hegel is seeking one world culture, so to speak, one that

⁷² Wood (1990), 207.

⁷³ Ibid, 208.

transcends local forms of pluralism. He moreover thinks that Hegel's outline for what would count as a rational form of ethical life is meant to determine the contours of this culture. But there is little basis for drawing such a strong implication from Hegel's own account. To be more precise, I think that there is indeed a reason that Hegel does not provide us with a list of duties or virtues and so does not fill in the ethical guidance that the rational order is supposed to yield. And I think this is no omission on Hegel's part, for it is not as if Hegel thinks he could provide us with such a list, but chose not to do so.⁷⁴ Rather, it seems far more consistent with his text to say that he does not think it is part of the philosopher's task to tell us what these duties and virtues are because the rational structure of ethical life, which is the object of his investigation, underdetermines them.⁷⁵ This indicates that they belong to the domain of culture and that they are given the requisite content only in a cultural context.

In short, Hegel's philosophical outline, even if it does delineate universal standards that any form of ethical life must meet in order to count as ethical, is nevertheless compatible with a multiplicity of cultures, though perhaps not with all of them. It places constraints on custom, but it does not fully fix it either. For instance, the family must exhibit a certain structure in order to count as rational and so be compatible with

⁷⁴ According to Wood, "the *Philosophy of Right* does not really try to give us a doctrine of duties, since it attempts no detailed exposition of [social] relationships. But it does furnish an outline of the institutions within which these relationships are to be found, and so it might be seen as giving a sketch of that structure from which a doctrine of ethical duties can be derived" (1990, 211). What I am denying is that there can be any such *derivation* of our duties from this sketch or outline.

⁷⁵ Hegel issues several related reminders about the limits of his philosophical project. Early in the "Introduction" he states that he wants to delineate them in order to "rule out any possible idea [*Vorstellung*] or even expectation, as if through the systematic development [of philosophical right] should give rise to a positive code of laws, that is, of the kind an actual state would require" (PR §3). More concretely, Hegel mocks Fichte for thinking he could philosophically derive the most rational passport regulations, in his case, those requiring that a passport contain a painted image of its holder (PR, 25).

modern ethical life. It must nurture and affirm the individuality of its members and it must adequately prepare them for participation in public life. More specifically, marriage must display a reciprocal relation that transcends mere contract and that sustains a bond of substantial endurance. But I think that these constraints on family and marriage still tell us very little about the concrete obligations within these relations, and I take it that these constraints can be met by a fairly wide array of customary practices that shape this institution in various cultural contexts. This means that Wood is too quick to dismiss the prospect that Hegel's account of modern ethical life could be compatible with pluralism in cultural forms of life, even if these forms are not of primary philosophical interest to Hegel.

A more moderate version of this strand in Hegel scholarship can be found in Michael Hardimon, who has also stressed the differences between Hegel and contemporary communitarianism, but on slightly different grounds. Hardimon echoes Wood when he claims that Hegel is not interested in local forms of identification, but in our identification with broader structures that extend beyond narrowly cultural divides. But unlike Wood he provides a more complicated account of social identification. It is this that is the target of his Hegelian critique of communitarianism. According to Hardimon, communitarians deem our social roles to be so central to our self-conception that these cannot be abandoned without some loss of self. He criticizes this understanding of social identification on two fronts. He claims that Hegel at least would reject such an understanding because he thinks that we can as a matter of fact always abandon these roles, in spite of their centrality in our self-conception. We might be unwilling to do so, but this is not the same as to say that we are incapable of it.

Hardimon's more compelling argument, however, has to do with the nature of this purported self-conception of ours. Communitarians, as Hardimon understands them, assume that we do have an explicit self-conception that already takes our social roles in account. This gets things the wrong way around.⁷⁶ What Hegel points out is that we do not already conceive of ourselves as occupants of our roles. Rather, our social identification must first be made explicit to us. So Hardimon's target is really the presence of reflection in Hegel's understanding of social identity, which he thinks communitarianism distorts. Reflection does in a sense sever this identification by introducing a moment of alienation – of distance from the roles we once immediately inhabited – but in doing so, it opens up the possibility of reflectively reconstituting this identification, and so making it part of our self-conception for the very first time.

Because I think Hardimon is correct on all of the above fronts, my dissatisfaction with his reading is somewhat subtler. On the one hand, I find it helpful to think of reflection as containing these two opposed moments – of severing our implicit identification in order to mend it in an explicit way. On the other hand, I worry that this response overlooks a more basic difference between these two accounts of social identification and that Hegel's conception comes out looking more immediate than it is meant to be. While Hardimon is probably right to say that communitarians make identification too self-conscious, reflection for Hegel is nonetheless in a sense already

⁷⁶ “One of Hegel's central aims in the *Philosophy of Right* is to help his readers recognize that they do in fact conceive of themselves as members of the family, civil society, and the state... from a Hegelian standpoint, the communitarian view that modern people start out explicitly conceiving of themselves in terms of their social roles gets things backwards... Coming to explicitly think of oneself as a family member, member of civil society, and citizen is, in Hegel's view, one of the crucial steps in the subjective process of reconciliation” (Hardimon 1994a, 162).

present at the level of social participation and does not first enter the scene when we abstract away from our social roles. This becomes even clearer when we move from social to cultural identification, for to identify with a culture, even in some supposedly immediate sense and so prior to any act of alienating abstraction, is to contribute to it in a way that inevitably transforms the culture with which you identify and that establishes a reflective relation to it. These are effects you cannot avoid without turning your culture into the kind of “dead past” to which Wood refers.

Many have noted that there is something paradoxical about the notion of a “cultural identity,” because participating in a culture seems to be at least in tension with self-conscious identification. If I feel the need to insist upon my cultural identity, I am only proving that my culture has already lost its grip on me and that I no longer inhabit my culture as I once did. Anthony Appiah alludes to this tension in the following observation: “You might wonder, in fact, whether there isn’t a connection between the thinning of the cultural content of identities and the rising stridency of their claims.”⁷⁷ In a similar vein Samuel Scheffler remarks that “culture” is an ethnographic concept employed in describing, interpreting, or explaining the practices of a community from the standpoint of an outsider. It is not a concept employed by the members of that community in their own deliberations or justifications. According to Scheffler, “to describe something as being (merely) a cultural norm of value can sometimes be a way of debunking it: of denying that it has the kind of authority that its adherents take it to have.”⁷⁸ These observations seem to suggest that there is at least something highly

⁷⁷ Appiah (2007), 117.

⁷⁸ Scheffler (2007), 120.

peculiar about the notion of a cultural identity, for those who are truly part of a culture typically are not self-conscious of this fact.

Hegel is indeed aware of this tension inherent in self-conscious identification and he even suggests that highly reflective cultures inevitably come to erode their confidence in their own customary practices⁷⁹ because they invite skepticism about their foundations. At the same time, he also challenges the opposition between participating in a culture and reflecting on it assumed by this view. In order to illustrate what Hegel takes their proper relationship to be, I will turn to his conception of *Bildung* as he outlines it in the *Phenomenology of Spirit*, specifically in the chapter titled “Bildung”, but to a certain extent also in his chapter on “Lordship and Bondage”. This is a conception that is of relevance to the *Philosophy of Right* as well, for it outlines the underlying structure of all *Bildung*, even the sort implicitly operative in modern ethical life. So once I have drawn this alternative picture, I will turn to the role that culture plays in the *Philosophy of Right*, specifically in his account of civil society. The interpretation I want to propose admits that culture is integral to Hegel’s account of modern ethical life, but not as it has been traditionally conceived. I will argue that Hegel considers participation in a culture to be an ongoing process that involves the continued production of and reflection about the culture we inhabit.

So my aim in this chapter is to propose an account of culture that shows that Hegel takes our relation to custom to be far less unreflective than worries about traditionalism suggest, even when this relation remains strictly speaking uncritical. This

⁷⁹ Allen Wood points this out. He writes, “Hegel even thinks that reflection inevitably exposes the limitations of every ethical order, and so tends, in the long run, to undermine both the ethical attitude and the ethical order” (1990, 218).

means, first of all, that Hegel provides us with a way of distinguishing between being habitually immersed within a culture and actively participating in its constitution. This also means that Hegel does not take culture to be something that is merely given to us, inherited from our predecessors, but rather something that we continue to shape. So what I argue is that the traditionalism charge rests on a misunderstanding of Hegel's conception of culture. He is instead suggesting that we are already reflecting whenever we participate in our customs, but in ways we often fail to notice because these forms of reflection are utterly pervasive in modern ethical life.

I. Alienation and Self-Cultivation

Bildung is notoriously untranslatable, since none of its English analogues seem to capture all of its connotations. Although it is roughly synonymous with *Kultur*, which is etymologically akin to our own term, Hegel almost never mentions *Kultur* and consistently uses *Bildung* in its place. There are at least three respects in which *Bildung* differs from *Kultur* that are especially relevant for Hegel. First of all, *Kultur* tends to be associated with the particular norms and practices that distinguish one cultural community from another, while Hegel takes *Bildung* to include a universal ideal as it is embodied and expressed in the customs of a particular culture.⁸⁰ Secondly, *Bildung* encompasses not only the notion of culture as an end product, which is the domain of *Kultur*, but also the processes involved in forming a culture. In other words, *Bildung*

⁸⁰ Anthony Appiah draws a stark contrast between “the German notion of *Kultur* (which is the possession of a *Volk*, and which aspires to authenticity) [and] the French ideal of *civilisation* (which is meant to be a universal ideal, and which aspires to progressive rationality).” (2007, 119) But this opposition is highly misleading, for Appiah neglects another important concept, *Bildung*, which in a sense incorporates both *civilization* and *Kultur*.

refers both to an achievement as well as to the ways of achieving it. Thirdly, *Bildung* refers both to the formation of a shared culture as well as to individual cultivation, which is why it is sometimes translated as “education.” As we will gradually uncover, these three aspects of *Bildung* are all significant for Hegel’s view of culture. According to Hegel, a culture is never merely parochial, but incorporates universalistic aspirations in relation to which it forms and reforms its own local practices. Nor is a culture ever a finished product but depends on the continued formative activity of its members for its vitality. Finally, Hegel also thinks that the formation of a shared culture and the cultivation of its individual members are inextricably linked.

We can begin to explore Hegel’s notion of culture by looking to the *Phenomenology of Spirit*, where *Bildung* plays a central methodological and constitutive role. In the Preface Hegel offers the following definition:

Bildung in this respect, regarded from the side of the individual, consists in [spirit’s] acquiring that which lies at hand, devouring its inorganic nature, and taking possession of it for itself. But this is, regarded from the side of universal spirit as substance, nothing other than [substance’s] acquiring self-consciousness and generating its own becoming and reflection into itself (PG §28).

Here Hegel defines *Bildung* from two points of view, with respect to the individual and with respect to “spirit as substance,” namely the society which the individual inhabits. In other words, he is suggesting that one and the same formative process can be considered from two perspectives, from that of the individual member and from that of the social whole. It is also important to note that Hegel associates this process with “self-consciousness” and “reflection into itself,” though what this means is not immediately clear. I will return to this later. But I want to first take up Hegel’s claim that *Bildung* is a process of “devouring one’s inorganic nature” and “taking possession of it for oneself.”

John McDowell, who is largely responsible for introducing this term into the vocabulary of Anglophone philosophy, identifies *Bildung* with something like “acculturation” or “initiation into a culture,” which he also characterizes as the formation of a second nature.⁸¹ Although I am not the first one to point out that acculturation in McDowell’s sense is not to be equated with Hegel’s own conception of *Bildung*,⁸² I want to emphasize not merely the difference, but the tension between these two processes. Acculturation as the acquisition of a second nature does resemble *Bildung* in its aim, for both are directed at an individual’s identification with ethical life. But Hegel thinks that acquiring a second nature, albeit integral to full identification with social practices, has a tendency to alienate us from them. He frequently calls habit deadening precisely because it lapses into mere habit, something we look upon as nothing more than a routine. It is in part due to these alienating side-effects of acculturation that *Bildung* cannot end with initiation, and in a certain sense only begins once initiation is complete.

One way to understand this distinction is to ask what Hegel means by one’s “inorganic” nature, which he claims needs to be appropriated. He does not mean “inorganic” in the sense of “inanimate,” though inanimate objects might also fall within this category, since Hegel is concerned with man-made aspects of the world. Nor is he talking about something that is literally dead. The relevant contrast is with what is alive or living in a figurative sense, for Hegel is also concerned with the “life” of institutions, practices, and communities. To call a practice dead is not necessarily to imply that it has

⁸¹ See for example McDowell (1996), 87 – 88.

⁸² See for example Bristow (2005).

vanished, like for example letter-writing in the age of email. It can also mean that those engaging in the practice do so with indifference and fail to see value in it. So one's "inorganic nature" could also include the practices that comprise one's cultural heritage and that are inherited from prior generations. Although these are only fully one's own when they have become second nature, Hegel's idea seems to be that heeding these customs habitually cannot prevent them from becoming "inorganic," namely from turning into something dead to which we are no longer actively committed.

In fact, Hegel claims that habit is not only deadening to the individual, but also to the community. For example he writes, "the people [*Volk*] lives now in the habit of its being, and this habit is that which brings about a natural death" (VPG, 46). He is not arguing that we ought routinely to subject all of our customs to critical evaluation, for it is Hegel's view that genuine participation in a culture already demands that we are also engaged in keeping alive the customs we habitually follow. But Hegel is not only contrasting habit and culture. He also holds that the two ways of relating to one's practices are in certain respects interdependent. As we will see, cultural participation is ultimately a way of reflecting on the practices that have become our second nature, while preserving the life of these practices in turn requires exercising a kind of reflection internal to culture.

This picture of cultural participation emerges from the chapter of the *Phenomenology* that Hegel explicitly entitled "Bildung", which follows upon his discussion of Greek character and the Roman person. Because of its position between the Ancient world and the French Revolution, the account of *Bildung* that this chapter provides contains numerous features that seem to be peculiar to the epoch he is describing. That epoch

begins with medieval Christianity (which Hegel elsewhere calls “unhappy consciousness”) and evolves through various stages, such as the knightly ethic of honor, the aristocratic manners of the 17th century, and the emergence of absolute monarchy. Moreover it tracks the development of a bourgeois class that became increasingly rebellious and hostile towards the *Ancien Regime*. I admit that these historical peculiarities do present a challenge for extracting a more general account of culture from this chapter.

A question worth asking is why Hegel limits his discussion of *Bildung* to a mere 25 pages and associates it with a single historical society, given that in the Preface he claims that *Bildung* is both the content of the *Phenomenology* as a whole as well as the process that its reader is supposed to undergo.⁸³ I want to address this question by examining how Hegel characterizes *Bildung* in this chapter and why he thinks it involves alienation (*Entfremdung*) and externalization (*Entäusserung*). My aim is to show that modern culture serves as Hegel’s model for *Bildung* in general because it highlights crucial features present in all cultural life, for – unlike its predecessors – modern *Bildung* rests on the discovery that every culture is culture through and through.⁸⁴

⁸³ This question is raised by Quentin Lauer (1983), 103.

⁸⁴ Hegel’s strategy for exploring the relevant features of modern *Bildung* depends on his contrast between the Moderns and the Ancients. This may raise certain doubts about Hegel’s account, considering that his characterization of the Greeks is at best highly schematic, and often clearly inaccurate. It is, however, important to remember that Hegel does not purport to be doing empirical history and is in a certain sense indifferent to whether his description of the Greeks really fits what we otherwise know about them. Rather, the Ancient world plays a methodological function in his thought. He exaggerates its simplicity, uniformity, and immediacy in order to emphasize certain important elements of modern ethical life, which – even if they were already present in Greek *Sittlichkeit* – acquire an unprecedented status in modernity. Thus I will employ Hegel’s own picture of the Greeks without thereby denying that it is at best a caricature.

Hegel describes the world at the outset of *Bildung* as one that has become “external” and “alien,” and also as “the negative of self-consciousness”:

[The] world has here the determination of being something external, the negative of self-consciousness. But this world is a spiritual being... its existence is the work of self-consciousness, but likewise a reality that is immediately given and that is alien to it, which has a being of its own and in which it does not recognize itself (PG §484).

This passage strongly suggests that Hegel is talking about an experience of alienation, for he claims that the agent is not able to recognize himself in the world. Moreover, he claims that the world has grown “alien” and “external,” which indicates that alienation and externality as somehow related. But in order to understand what kind of alienation Hegel has in mind, we first need to examine its source.

Let me begin with Michael Forster’s helpful reading of this chapter.⁸⁵ Forster interprets the emergence of this alienated world as the aftermath of skepticism, specifically the “skeptical culture” that developed in Ancient Greece and Rome. According to Forster’s reading, members of Greek ethical life enjoyed a particular form of cognition in which the community was in agreement regarding its fundamental principles and individuals deferred to its authority in their private judgments. Because of this pervasive convergence, the Greeks were never conscious of these principles *as* principles. They were not aware of them as products of thinking and thus potentially erroneous, and they were not aware of the fact that there could be competing principles about which disagreement was possible.

Skepticism undermined this form of cognition by presenting equally compelling arguments for and against a given principle and thus shattering the immediate and

⁸⁵ Forster (1989).

absolute authority it was thought to have. In doing so, it gave rise to a new form of cognition, which saw in the world nothing but the “harshness and objectivity of everyday reality,” to use Forster’s formulation. According to Forster, agents came to regard their world as “objective” and “harsh” because it was no longer inhabited by the gods and because they had to acknowledge that their principles might be mere projections that fail to accord with reality. One way in which the agent copes with this alien world is to construct another world over and above this one, a realm inhabited by an omniscient and omnipotent God. In fact Hegel defines the world of *Bildung* as one that is fundamentally divided in two: “This spirit thus forms (*bildet*) for itself not just *one* world, but one that is doubled, divided, and opposed” (PG §486). Forster argues that this second world is meant to solve the epistemological problems raised by skepticism because agents no longer have to figure out which principles to follow but need only heed God’s commands, since God as the ideal knower possesses the justification of these principles that we are unable to discover. The formation of this other world can be described as a process of self-alienation, for the world of God is alien to our own. We constructed it, and yet we cannot recognize ourselves in it, for the perspective it affords is inaccessible to us. It turns out that this self-alienation is already the work of *Bildung* in its effort to overcome its initial alienation.

Although Forster is able to explain how the construction of a double-world responds to the alienating effects of skepticism, he stops short of exploring other aspects of alienation at stake in this chapter. The agent must also find a way of recognizing himself in his own world and so overcoming its objectivity and harshness, and this problem is not settled by merely erecting another world. Hegel casts this failure of self-

recognition in two different ways. First of all, he suggests that the problem has its roots in the abstract formalism of Roman Law, in which each agent is treated as a person, a mere bearer of rights devoid of any particularity and indistinguishable from any other. The agent wants to distinguish himself by expressing his particularity and so becoming recognized as a concrete individual. From this point of view, overcoming alienation is a matter of acquiring a particular status or position in the eyes of others. This position distinguishes him from other members of society while nevertheless giving his individuality a socially acknowledged expression. *Bildung* here becomes synonymous with self-cultivation. What matters is that his position is not occupied by just anyone, and this is in part why cultured agents pass judgment on those in other social positions and deem them “bad.” But even among those who occupy the same position – those Hegel calls the “nobles” – there is competition for the attainment of honor, at first through victory in war, and later through battles of wit.

Hegel claims that the cultured or cultivated individual is “universal” in a different sense from the mere person: “This sameness with all is thus not that sameness of right, not that immediate recognition and validity (*Gelten*) of self-consciousness simply because it exists [as in Ancient Rome]; rather, the fact that it counts (*gelte*) is due to the alienating mediation of having made itself suitable to the universal” (PG §488). What he wants to emphasize is that, in order to attain a socially recognized position, I must become a ‘type,’ and this requires subduing what is merely particular or idiosyncratic about myself. For example, in order to become a courtier, I need to be able to discipline my speech and manners in such a way that they meet the expectations to which a courtier is held, so that the monarch – as well as the servants, serfs, and other courtiers – can recognize me

as a courtier. Although the standards associated with these types are in a sense already given to me by the social world I inhabit, turning myself into a type is my own doing and so counts as an achievement worthy of praise.

Hegel describes this process of cultivation as one of self-alienation, for “we may say that self-consciousness is only ‘something,’ it has *reality* only insofar as it alienates itself from itself” (PG §488). What he means is that, in order to become cultured, I must relate to myself as an object to be formed or reformed, even if I only ever explicitly attend to some specific aspect of myself. I must also be able to regard myself from an external standpoint and assess my own worth from the perspective of others.

Recognition is of course already an important element in upbringing, which presupposes that the child comes to desire the parents’ approval. But cultivation involves considering one’s own behavior and actions from a more impersonal point of view. We no longer want to do merely what a particular individual asks of us, but we want to perform actions that any cultivated person will recognize and esteem. So part of the reason Hegel calls *Bildung* a process of self-alienation is that it requires adopting this alienated perspective on one’s own conduct and considering how it would look to an anonymous observer.

But Hegel suggests a second way of interpreting the failure of self-recognition, which *Bildung* is supposed to mend, and this interpretation seems to have a wider application beyond early modern Europe. He claims that agents do not recognize themselves in the world because they do not see it as a product of their work, even though “this its existence is the *work* of self-consciousness” (PG §484). We can think of this alienation as akin to the stage of adolescence, at which the individual comes to adopt

a negative attitude towards the status quo as such. The problem he is faced with is not that he has not been properly acculturated, that he lacks the dispositions and inclinations that make him suitable for social life. This initiation has presumably already taken place. Rather, he does not identify with his social world despite having a familiarity with and mastery of its practices, because he does not see himself as the author of these practices, given that they were there long before he entered them.

In saying that this world is in fact the “work of self-consciousness,” Hegel wants to remind us that it is the achievement of the “spiritual” activity of previous generations. Nevertheless, each new generation needs to appropriate this inheritance in such a way that it can consider it the product of its own work. As he writes in the *Lectures on the Philosophy of World History*, “The individual finds the work as a completed world before him, which he has to incorporate for himself” (VPG p. 45). This in itself is not a unique insight. Others, such as for example Hans-Georg Gadamer, have likewise acknowledged that cultures and traditions need to be appropriated by those who inherit it, but Gadamer at least takes interpretation to satisfy this need.⁸⁶ What is interesting about Hegel’s position is that he thinks such appropriation cannot be achieved merely by interpreting one’s culture in a new way. For him it is importantly a matter of *producing* one’s culture, of making it one’s own work.

⁸⁶ Gadamer (1989).

II. Work and Externalization

Hegel's master-slave dialectic offers the clearest illustration of this relationship between *Bildung* and productive activity. This dialectic involves three elements: the master, the slave, and the thing. First we need to review the background briefly. In the framework of desire – the first form of self-consciousness – the agent wanted to prove himself independent of the thing by consuming it and so negating its status as something self-standing. Because this kind of consumption had the contrary effect of revealing the agent to be the dependent party, he sought something that could mediate his relationship to the object of desire and so ensure his own status as a self-standing being.⁸⁷ The only thing that could perform this mediating task turns out to be another agent. After what Hegel calls a “life-and-death struggle,” one agent enslaves the other and positions him between himself and the object of desire. Now it is the slave who has direct dealings with the material world, whereas the master merely enjoys the product of the slave's labor. Most importantly, the master enjoys continual recognition as a free agent, which the “thing” itself could not provide.

But in Hegel's well-known analysis, it is precisely the slave's engagement with the thing that makes him freer – or in a better position to eventually realize full freedom – than the master. Whereas the master withers into a parasite completely dependent on

⁸⁷ To put this in less Hegelian terms, at this stage I am looking for something that can guarantee that I remain *independent* from the material world, while at the same time satisfying my material needs. Whatever this turns out to be would thus be “mediating” my relation to the object of desire.

the slave, the slave's work in fact transforms him into a (relatively) self-standing being.⁸⁸

Hegel emphasizes that it is *work* which has this formative effect. He writes:

Work... is restrained desire, arrested disappearing, or it forms (*bildet*). The negative relationship to the object becomes its form and something permanent, precisely because for the one working the object is self-standing. This *negative* middle or the formative (*formierende*) activity is at the same time the singularity or the pure for-itself of consciousness, which now through work steps outside itself into the element of permanence; so the working consciousness arrives in this way at a recognition (*Anschauung*) of its own independence in the independent being [of the object] (PG §195).

Hegel is here contrasting the unrestrained desire, which was the downfall of the prior “configuration of consciousness,”⁸⁹ which the restraining effect of work. Because the slave has to first reshape the purely natural object in order to make it fit for enjoyment – though he himself will never get to enjoy it – he inevitably learns to hold back his desires and so gains control over them. In this respect, work has a formative effect on the slave himself.

But what Hegel wants to stress in saying that work forms (*bildet*) is that it gives rise to products and turns parts of nature into something man-made. This is what he means when he claims that through labor the agent is able to “step outside [himself] into the element of permanence.” By making something that continues to exist once I am done making it, I am externalizing some aspect of myself in the form of an object distinct from me. This production makes possible a certain kind of confirmation of my own self-conception. In the object I worked on I see a reflection of who I take myself to be. In the case of the slave's thing, this reflection is very dim, considering that his productive

⁸⁸ Of course this is by no means Hegel's last word on freedom. In fact, the *Phenomenology* as a whole suggests that the kind of freedom whose potential is embodied in the slave is still very primitive and ultimately inadequate.

⁸⁹ I will explain what a “configuration of consciousness” is in the following chapter.

activity is directed by the will of another. The master's will is not only someone else's will, but it is directly opposed to the will of the slave. Moreover it is the will of a single individual, and so determined by his particularities, peculiarities, and idiosyncrasies, which are arbitrary and contingent, and which set him apart from others. Nevertheless, Hegel stresses that the slave does behold himself in the object, because the object is something he made through his own effort, even if he made it to satisfy the master's demands. It is this capacity to form that is manifest in the formed object, and this capacity turns out to be a central feature of genuine freedom.

Hegel's account is considerably more complicated than this summary might suggest, because for him the slave's labor needs to be understood in relation to fear of death, which is the reason the slave entered into bondage in the first place. According to Hegel, it is labor as formative activity that dispels this initial fear because it allows the slave to leave an enduring imprint on the world and so in a sense overcome his own mortality. But for our purposes it is enough to focus on the relationship between self-formation and the formation of an object, which the master-slave dialectic thematizes. Let us review the central claims Hegel is here making: First of all, the slave himself becomes formed or educated into a free being by forming an object. It is his labor that teaches the slave to be self-disciplined and self-sufficient, a lesson of which the master remains deprived. Secondly, the slave's labor results in the creation of an object distinct from the slave himself. The thing is initially already there and the slave merely works on it, but through his labor he gives the thing a new form. In this respect the slave is externalizing himself in the sense that he is forming something external to him.

Laboring activity establishes a certain distance between the slave and the “thing” he has produced.

Thirdly, this distance becomes integral to *Bildung* because it introduces a reflective relationship of a certain sort. It is important to note that for Hegel, the distance between the slave and the thing is not a source of alienation proper, for the slave is able to find himself effortlessly in what he has produced. As Hegel puts it, “the form, by becoming externalized (*hinausgesetzt*), does not become something other (*ein Anderes*) than he; for in fact it is *his* pure for-itself, which thus becomes truth for him” (PG § 196). What this means is that in the object the slave is able to recognize his own subjective activity. The object provides him with a mirror image of himself, a mirror in which he can see his own labor reflected. This is clearly different from the kind of reflection we are usually concerned with. The slave is not engaging in critical reflection, for he is not evaluating or assessing his activity, except perhaps by the standards internal to the craft involved. But this reflection does involve a distanced view of oneself or of a certain aspect of oneself, which the object makes possible.

This seems to be another version of Hegel’s central thesis that a certain distance is necessary for the possibility of genuine identification. As we have seen in the context of habit, it is only once I have risen above my determinations and made them *mine*, and no longer simply *me*, that I can regard them as my own properties. Here Hegel is making a similar move, although one with bolder implications. He is arguing that the slave can only become free and know himself as free because he has externalized himself in the form of an object. Only when he is confronted with something other than he that is at the same time of his own making can he attain self-knowledge and find confirmation of

his own self-conception in the world. Even though this thing is not an object of contemplation, his relation to it is nevertheless a reflective one because it provides the slave with an objective confirmation of his own activity. The slave beholds his own reflection in the world, even while his attention remains fully occupied with his labor.

Although Hegel alludes to work or productive activity in the *Bildung*-chapter, in that context he says surprisingly little about the structure of work and its contribution to *Bildung*. I want to suggest that the picture of labor that emerges in the master-slave dialectic can supplement Hegel's remarks about the centrality of work in the later chapter. There he proposes that the alienation (*Entfremdung*) from which modern agents suffer can only be cured through externalization (*Entäußerung*). I initially confront a world in which I cannot recognize myself because I cannot see it as my own work, and I can only overcome this alienation by appropriating this world through work. In order to make the world a reflection of my subjectivity, I need to externalize myself in the world and so give my subjectivity an objective expression. We have seen in the case of the slave's labor that this externalization has two aspects. On the one hand, work contributes to the formation of the agent himself, for it not only makes him self-disciplined, it also gives his subjectivity an objective manifestation that allows him to confront himself in the world. On the other hand, work reshapes mere things into artifacts and so gives what is purely objective a subjective form.

Because work turns things into a lasting expression of their producer's own self-conception, Hegel characterizes it as the formation of a shared culture. In order to make sense of this claim, it is important to note that the relevant self-conception that is being expressed is significantly shaped by the social dimensions of labor and ceases to be

merely that of an individual agent. This is to some extent true of the slave's labor as well, since this labor is being directed by the master's minimal self-conception of a free being, even if the master is as of yet unwilling to extend this conception to the slave as well. But what makes this culture shared is not only the fact that the self-conception at stake is a social one. It is also important that this culture is a material or objective one, a culture made up of man-made objects, although Hegel does not mean "object" in a narrow sense. He writes, "the spirit of a people is a determinate spirit, and its deed is to make itself into a present world, which is in time and space. Everything is a people's work; its religion, laws, language, customs, art, events, actions, positions towards other peoples are its deeds; and every people is only this work" (VPG, p. 45).

As we have seen, Hegel provides an extensive list of all the different modes of cultural self-expression and he argues that a culture is nothing over and above its own objective manifestations. This means that cultural objects are constitutive of a culture because they embody a society's character and self-conception. But because these products are expressive of a culture, they also serve to reflect its character and self-conception. We have already encountered this reflective aspect of work on the individual level in the slave's labor. But in this context Hegel is making a stronger claim. He argues that cultural objects both make up a culture as well as mirror it. There is in a sense no culture prior to and independent of its works, but these works at the same time reflect the culture in which they were produced. To put this in Hegelian terms, "substance" becomes "cultured" through work that on the one hand constitutes a culture and on the other hand reflects it back to us. This is what I take Hegel to mean when he defines the *Bildung* of substance as the "acquisition of its self-consciousness"

and the “bringing-about of its own becoming and reflection into itself.” According to Hegel, participation in a culture always involves a reflective relation to it, for the objects we form provide us with a speculum of our cultural context.

Above I mentioned that *Bildung* has two central aspects, that it forms both the subject as well the object. It is worth recalling that this double-aspect of *Bildung* should already be familiar to us. When we encountered Hegel’s definition of *Bildung* from the Preface, I noted that for Hegel there are two standpoints from which we can consider one and the same process. We can either view it as the formative education of an individual agent, or we can consider this same process in relation to social substance, and in this relation *Bildung* turns out to be the development of a cultural world. Hegel insists that becoming cultured and forming a culture are merely two ways of characterizing one and the same activity. As he remarks in this chapter:

For the power of the individual consists in the fact that he makes himself suitable, i.e. that he externalizes his own self, so posits himself as the objective (*gegenständlich*) existing substance. His *Bildung* and his own actuality is for this reason the actualization of the substance itself (PG §490).

The main claim seems to be that even while pursuing their social ambition of cultured sophistication, individual members simultaneously contribute to the culture of their society.

III. Work of Art and Spiritual Culture

Given our previous description of cultivation, it might seem strange to characterize it as a form of cultural contribution. Of course working to become cultured does mean that one is implicitly honoring and perpetuating certain social practices, but this does not

seem enough for actively shaping a culture. Moreover, Hegel described cultivation as highly self-absorbed. If what I work on is myself and not something other than me, it does not look like this process of self-cultivation gives rise to anything like an objective culture. Although the cultivated people Hegel describes in this chapter do not engage in productive activity and seem to be concerned only with their own appearance and status, the artistic interests of the later nobility do point in this direction. One could even say that wielding witty phrases is already a kind of production, though speech is relatively ephemeral. But Hegel also mentions the nobility's active support of the arts. Though the artists themselves were usually members of the bourgeoisie, which was thought to lack culture, the nobles nevertheless displayed their degree of cultivation by appreciating the artistic creations of others.

Since Hegel is describing an age for which "culture" became an explicit ideal, it should not be surprising that *Bildung* is here taken as synonymous with what we would call "high culture." This kind of discrimination is already contained in the phrase "being cultured" (*gebildet*), which does not apply to all "acculturated" members of a society, but only to those who have risen to a certain standard. In the context of Hegel's chapter, the arts would rank higher than other artifacts because the standard at stake for the early moderns is closely tied to social class. The kind of society Hegel is here describing is one that is divided into the nobility, which has the leisure to pursue less material and more "spiritual" ends, and the emerging bourgeoisie, which is occupied solely with the acquisition of wealth. Thus the arts became a mark of culture precisely because they were elevated above the "base" economic activity of the bourgeoisie.

Considering that Hegel ultimately reveals this class structure to be delusional and unsustainable, his own reasons for deeming artworks to be of higher cultural value than other objects depends on the kind of reflection they afford. At this point we have already seen several ways in which reflection is internal to *Bildung*. In the context of self-cultivation, it turns out that I can only fashion myself according to cultural standards by engaging in the reflective activity of evaluating my own behavior as if it were that of another. In the master-slave dialectic, the slave forms (*bildet*) himself into a self-disciplined and self-sufficient creature by forming the merely natural thing into something that reflects his own activity. This is already a more robust form of reflection, for in the object the slave is able to confront himself in a way that the merely cultivated nobleman does not. But his reflection is still plagued with shortcomings that ultimately prevent him from ever fully knowing himself. First of all, the thing is still an object of consumption, not appreciation or contemplation, and so the slave might catch a glimpse of himself in his periphery, though he continues to engage in laboring activity. Secondly, what the thing reflects is not the slave's will, but that of the master, which means that the slave can never fully identify with his own product.

Hegel's account suggests that works of art at least promise a form of reflection that preserves central features of the slave's *Bildung* while avoiding its pitfalls. In the Introduction to his *Lectures on Aesthetics* he argues that the creation of artworks enables practical self-knowledge, which seems to resemble the kind of self-knowledge available to the slave. He writes,

The human being becomes for-himself [i.e. self-conscious] through *practical activity*, by having the drive to reproduce himself (*sich selbst hervorzubringen*) in that which is immediately given to him, that which is for him externally present, and likewise to recognize himself (*sich selbst zu erkennen*) in it (VA, p. 51).

Works of art are external to us because they take the form of sensible objects, though they are in fact nothing but objective externalizations of our own subjectivity. Just like the slave's "thing," an artwork is produced by spiritual activity and so reflects the spiritual character of its producer. But this is where the comparison ends. By describing the reflective relation we have to works of art in terms like "recognizing oneself" (*sich wiederzuerkennen*) and "grasping oneself in the other" (*sich in seinem Anderen zu begreifen*)⁹⁰, Hegel indicates that the reflection demanded by art is far more robust than what the slave or the master were capable of mustering.⁹¹

In fact Hegel even identifies the relevant form of reflection as closer to a "theoretical" attitude, rather than to a practical one, and he follows Kant in arguing that appreciation of artworks is incompatible with regarding them from the standpoint of desire.⁹² One could say that both the master and the slave remain confined to the practical standpoint. While the master sees the thing as a direct source of pleasure and enjoyment, even the slave continues to view it in relation to desire, namely as the indirect means for his own survival. But the artwork invites an attitude that is incompatible with

⁹⁰ Hegel also argues that the alienation at stake in art has to do with the distinction between thought and sensibility. Thought externalizes itself in a sensible object, in which it must be able to recognize itself again. See VA, 27/28: „And if indeed artworks are not thoughts and concept, but a concept's own self-development, an alienation (*Entfremdung*) into the sensuous, then the power of thinking spirit lies in that, not only to grasp itself in its unique form as thought, but to the same extent to recognize itself again in its externalization (*Entäußerung*) into feeling and sensibility, to grasp itself in its other, by transforming the alien (*das Entfremdete*) into thought and thus returning to itself.”

⁹¹ This is not quite right, since Hegel does use very similar language to describe the slave's attitude towards the object. For example, he claims that the slave "becomes conscious" (*kommt zum Bewußtsein*) and "finds himself again" (*Wiederfinden*).

⁹² „The human being does not stand in such a relation of desire to the work of art. He lets it exist as an object free for itself and relates without desire to it, as to an object that is only there for the theoretical side of spirit" (VA, 58).

either labor or consumption, for it requires that we step outside our familiar engagement with things and appreciate an object that has no use for us. Because works of art demand to be noticed and perceived in a way that ordinary objects do not, we can only see what they reflect if we are willing to trade our practical immersion for reflective appreciation.

But the most important difference between the slave's product and a work of art is in *what* each reflects, namely its meaning or content. To repeat, the "thing" does mirror the slave's laboring activity, but an activity dictated by an arbitrary and contingent will. Although some may want to imagine artistic creation to be an individual's self-expression, it is important to remember that at least during the period Hegel is describing, most artists were sponsored and commissioned by the nobility. Moreover, Hegel does not even consider such self-expression to be the right sort of ideal, and he is relentlessly hostile towards Romantic art precisely because it sought to express the unique qualities – and genius – of the artist. Hegel considers such works as arbitrary and contingent as the objects made for the master's pleasure.

According to Hegel, true works of art are those whose content is "universal." In fact he frequently praises the Greeks for achieving this universality, because they aspired to create sculptures that left no trace of the individual who made them. What Hegel means is not that an artwork contains some abstract idea that can be grasped independently of its mode of expression. For Hegel, works of art are an example of what he calls "concrete universality," for the universal content they express can only be discovered through their particular form. An artwork is "particular" not only because it is sensible and so occupies a place in space and time, although the fact that it can be

perceived by the senses is significant for Hegel's view about its unique purpose.⁹³ It is “particular” because it is made in a customary manner and style and so situated in an artistic tradition, but also because it deals with a subject matter that is relevant to a historical or cultural community in which it was made. As Hegel points out, “every artwork belongs to *its time, its people*, its environment and depends on the particular historical and other representations and purposes,” (VA, p. 30). Hence Homer wrote about the Trojan War and Diderot about the new *philosophes*.

Nevertheless, Hegel argues that the great works are able to illuminate what is universal even while they are about something historically or culturally specific and even when they are fashioned in an inherited style. When Hegel speaks of the universal content of works of art, he has in mind a certain self-conception which is idealized and in that sense expresses what we aspire to be, and which makes a claim to universal validity. To put this in Hegelian terminology, works of art are ultimately concerned with our “spiritual nature.” This is obviously a normative conception of art, since many actual works fall short of it. But Hegel does think that the great works of art, those that best reflect the culture in which they were created, do exhibit a universal content of this sort.

One might worry that this normative conception is too restrictive and confines art to a single task, but it is worth noting that this universal ideal can be expressed in an indefinite number of ways. For example, Hegel is not suggesting that art should be

⁹³ Hegel argues that the unique purpose of art is to reconcile thought and sensibility, precisely because it presents something intelligible and meaningful in a form that is available to the senses and to feeling. He even characterizes this purpose in moral terms as an overcoming of the dualism of Kantian *Moralität*. “In contrast it is to claim that art is called to disclose the *truth* in the form of sensible art, to present this reconciled conflict, and that it has its final end in itself, in this presentation and disclosure” (VA, 82).

utopian, despite the idealization in which it is engaged, for it is frequently the case that we can only discern our own ideals by confronting the ways we fall short of them. Moreover the universal ideal that interests Hegel is already contained in the customs in which we engage. Hegel argues that the culture of any society, no matter how contingent and conventional many of its practices may be, contains a conception of the human being as such – expressed in what it takes to be of highest value – and its art reflects this conception in more or less transparent ways.⁹⁴ As he puts it, “art seems to proceed from the higher drives and to satisfy higher needs, indeed currently the highest and absolute [needs], by being tied to the most universal worldviews and the religious interests of entire epochs and peoples” (VA, p. 50).

What we have seen is that Hegel draws a certain distinction between the forms of productive activity in which we ordinarily engage intended to satisfy practical demands, and the production of works that serve a predominantly reflective function. He frequently characterizes this as a distinction between “practical” and “spiritual” culture, both of which he considers to be integral aspects of all cultural life. A society’s practical culture, on the one hand, comprises the practices it institutes, the skills it trains, and the goods it produces to satisfy the material needs of its members. On the other hand, it also encompasses the normative dimensions of culture, the customs, values, and standards we habitually uphold in our practices. According to Hegel, practical culture in this wider sense

⁹⁴ This aspect of Hegel’s notion of culture has been widely acknowledged. See for example Markus: “Each historical culture also formulates directly, and an unconditionally universal way, these ends which it regards as ultimate and binding” (1986, 121). Also Lauer: “To each culture there corresponds an image of man, and that image of man is intimately linked to the manner in which men represent (*vorstellen*) themselves the overarching Spirit that unites them” (1983, 106).

consists in those universal ideas and ends, in the scope of those spiritual powers, that rule consciousness and life. Our consciousness has these ideas, maintains their validity as ultimate determinations, follows the interconnections indicated by them in its course... but it *knows* them not: it does not make them the subject-matter and interest of its investigation (GPh, 41).

These “universal ideas” seem to be the very ideals of the “universal” we just encountered. But even though possessing general culture means being in a certain sense conscious of these ideas, Hegel claims that this is not the same as *knowing* them. What he has in mind, most minimally,⁹⁵ is that they remain in the background, and while we are able to employ them, discover connections among them, and draw conclusions from them, we do not in general make them explicit.

Spiritual culture proceeds from practical culture and from the universal ideas operative within it, but its mark is a reflective attitude towards those ideas. Hegel defines spiritual culture in terms of certain modes of reflection, which includes not only art, but also religion and philosophy, and which he calls “forms of absolute spirit.” According to Hegel, art, religion, and philosophy all present the same universal ideas⁹⁶ and only differ in mode of presentation – art through sense-perception, religion through “picture-thinking,” and philosophy through concepts. We already have some sense of what it means to say that art reflects the universal. Philosophy will be the topic of the fourth chapter, while the relationship between religion and *Bildung* is a topic in its own right.⁹⁷ But we can identify at least one important feature these three

⁹⁵ I should note that knowledge in Hegel’s “scientific” sense is going to involve even higher epistemic expectations. This will be addressed in the fourth chapter.

⁹⁶ To be more precise, Hegel thinks that the ideas reflected in art, religion, and philosophy do differ in certain respects, for they are different versions of the same idea that is gradually unfolding and becoming increasingly determinate as it moves from art, to religion, and finally to philosophy.

⁹⁷ For a discussion of the role of religion see Lauer (1983).

moments of spiritual culture share: perceiving a work of art, participating in a religious ritual, and doing philosophy all demand a temporary withdrawal from practical culture and the adoption of a reflective attitude towards it.

Since spiritual culture is a reflective form of *Bildung*, we might expect that it cannot apply to most historical and perhaps even some contemporary societies. Although Hegel does seem to believe that there were and continue to be groups of people so *ungebildet* that they lack any spiritual culture, he also suggests that every historically significant society has incorporated these modes of reflection. This is why Hegel throughout the *Phenomenology* turns to literary works in order to discover how a society conceived of itself and to what standards it held itself. This is most vivid in his chapter on Greek ethical life, most of which is devoted to an analysis of Sophocles' two tragedies, *Oedipus Rex* and *Antigone*. But if Hegel credits the Greeks with the development of practical as well as spiritual culture, it remains puzzling why he reserves the term *Bildung* for modern Europe.

One way to distinguish modern *Bildung* from that of the Greeks is to say that, while both the moderns and the Ancients had a culture, it is only the moderns who are aware of this fact. This is not to deny that the Greeks engaged in "spiritual" forms of reflection, for they certainly were conscious of their universal ideas through sculpture, poetry, and religious rites. But knowing the ideas and ideals internal to your culture is not the same thing as knowing that they are cultural. In order to explain the difference between these two kinds of knowledge, I want to turn to György Markus' paper "The Hegelian Conception of Culture." Although this paper has not received a lot of

attention, it provides a strikingly clear articulation of what the latter knowledge consists in. Markus writes,

the view which regards modernity as the *world of Bildung*, contains the correct insight that only modern society knows itself *as* culture, recognizes its institutional world as one which came about in, and is sustained by, human activities... But this view at the same time misses the fact that *all* historical worlds are worlds of culture, even if they do not know it.⁹⁸

This description of modern society is reminiscent of the “skeptical culture” Michael Forster describes, for according to Forster the Greeks did not know their fundamental principles to be principles and so to be standards that they themselves had posited. This discovery ensued in skepticism because it seemed to imply two things: that these principles could be mere constructs of the mind with no *objective* validity, and that these principles could be mere products of their particular culture and so not *universally* shared.

The modern culture that emerges out of this condition of skepticism is shaped by a new form of reflection more acute than what *Bildung* in the broader sense requires. Although Hegel thinks that modernity does rest on a genuine discovery, its consequent indulgence in artifice revealed the shortcomings of this form of reflection. The man of culture grows so preoccupied with perfecting his own qualities that he sees no limit to his malleability and capacity for self-formation.⁹⁹ Hegel argues that the process of cultivation, which started out as a desire to become someone in the eyes of others and so gain an objective existence in the world, evolves into the fantasy that the individual

⁹⁸ Markus (1986), 119.

⁹⁹ In his recent book, Robert Pippin points out that in the world of *Bildung*, “possible ethical worlds are understood as if all were mere theatrical masks, as if freedom were not, could not be, a matter of any deep, non-alienated identification with who one is, but a complete and permanent state of alienation, of not being anybody and so potentially being anybody” (2008, 146).

is self-made, that he is nothing but what he has made of himself. Thus the cultivated individual becomes the enlightened self, “which grasps nothing but the self and everything as the self, i.e. it comprehends everything, it cancels all objectivity (*Gegenständlichkeit*) and transforms all in-itself into a for-itself” (PG §486). This highly self-reflective form of *Bildung* ends up undermining the very reflection it was meant to provide. *Bildung* had the aim of enabling the individual agent to recognize himself in the world, not by “canceling all objectivity,” but by externalizing and expressing himself in an objective form.

Although *Bildung* in this chapter of the *Phenomenology* ends up betraying its own nature, it is possible to glean some elements of *Bildung* in general that seem to hold true even for cultures far less alienated, and far less self-conscious, than early modern Europe. While the Greeks did engage in reflective practices of various sorts, they did not regard their culture as a whole to be *culture*, namely something of human making. As we will see in greater detail in the next chapter, the *Phenomenology* Hegel characterizes Greek culture as divided into two sets of norms, the human law and the divine law, and while the human law could perhaps be considered for revision, the divine law was immutable and inscrutable because it was authored by the gods. So what distinguishes modern *Bildung* from ancient culture is not its reflective practices per se, but its discovery that all laws are human laws. Hegel articulates this as the discovery that the social world is a *work*. The modern agent is at first blind to this fact because he does not see it as his own individual work, but in the process of *Bildung* he comes to recognize that even those practices that seemed to be merely given are in fact “spiritual” accomplishments and so contain wisdom that may not be immediately

transparent to a new initiate. One could say that modern culture is self-conscious in a way that premodern cultures were not, because it realizes that its social world is a work, even though premodern cultures were in fact works as well.

So what does it mean to recognize that the social world is a work? First of all, this recognition entails that no part of culture can exempt itself from reevaluation. If a certain practice comes to seem alien to its participants, they can no longer perpetuate it merely because it is already in place, or because it is commanded by some extrinsic authority like the gods. Secondly, this recognition entails that no practice is in principle unrevisable.¹⁰⁰ Although this is clearly Hegel's view, it is easy to exaggerate its implications. For example, to say that no practice is unrevisable does not mean that we can simply create or eliminate any and every practice or even construct an entirely new culture from scratch, as the French Revolution attempted to do. Moreover, Hegel is worried that our reevaluations can become a source of confusion, for they can mislead us in various ways, giving rise to shallow criticism and blinding us to the true value of a given practice.

But Hegel does think that modern culture's self-consciousness has a significant positive implication. Recognizing that the social world is the product of human activity means that its survival depends on this activity, without which it would cease to serve as a source of practical guidance. One way to understand this is to say that inheriting a culture is a matter of interpreting its practices in such a way that they make sense to those who partake in them, so that they can own up to those practices, take

¹⁰⁰ Whether the basic principles underlying our practices are revisable is a question I will address in the next chapter. At this point I simply want to flag that these questions are distinct.

responsibility for them, and regard them as their own. But Hegel seems to be making the even stronger claim that being a member of a culture requires that one is also actively contributing to its production, whether by cooking a meal, performing a play, or instituting a law.

Though even purely practical *Bildung* is engaged in this dual process of producing and reflecting a culture, spiritual *Bildung* retains a privileged and indispensable role. I suggested that for Hegel our commitment to the practices of ethical life can never be cemented once and for all, but needs to be continually revived. Such revivals of commitment are precisely what the reflective aspects of culture are meant to enable. What Hegel calls “spiritual culture” turns out to be essential to the survival of any culture, since it serves to draw our attention to aspects of our social world to which we ordinarily do not attend. This introduces an important contrast between full-fledged participation in a culture and a habitual immersion in it. Habitual conduct does already incorporate a kind of internal grasp of customary practices, but Hegel thinks that this implicit insight is vulnerable to forms of alienation. In order to avoid such alienation, we need to actively sustain our confidence in our customs by continually re-committing ourselves to them. Culture as reflective activity has precisely this role to play because it allows us to confront what we otherwise take for granted.

IV. Civil Society and Ethical Education

I hope that these considerations help us clarify some relevant differences between premodern cultures and modern *Bildung* and understand why for Hegel modernity foregrounds features that hold true of all cultural life, even when only implicitly. But

the world of *Bildung* in this chapter is also marked by the emergence of a new institution, namely civil society. Hegel characterizes this world as divided into two social spheres, the educated nobility that seeks honor, power, and recognition, and the bourgeoisie in pursuit of wealth. Members of the opposing groups judge each other's aims to be "bad," but it turns out that they are not as different as they wanted to believe. Moreover, Hegel argues that the whole social order, including the high-minded nobility, depends on the self-seeking activity of the bourgeoisie. Echoing Adam Smith's "invisible hand," Hegel argues that self-interested motives produce wealth that ends up benefiting everyone, even if the individuals themselves are completely indifferent to the public good. So the survival of this society, including its higher "cultural" aspirations, is ultimately indebted to this "base" economic activity.

Its dependence on the bourgeois market confirms that Hegel does ultimately consider *Bildung* proper to be a uniquely modern phenomenon. According to Hegel, it is civil society that distinguishes modern ethical life from its predecessors and that prevents it from suffering their fate. Although Hegel reserves his more developed account of civil society for the *Philosophy of Right*, his earlier characterization of the emerging bourgeois class in the *Bildung*-chapter incorporates strikingly similar elements.¹⁰¹ But in the *Phenomenology* civil society is still cast as a necessary evil because it remains uncultured, even if it makes culture possible, whereas in the *Philosophy of Right*

¹⁰¹ This resemblance has already been noted by Rósa, who argues that the concept of *Bildung* provides an important point of continuity between the two works. He writes, "die Bildung steht in enger Verbindung mit dem wirtschaftlichen Status der Selbstbestimmung und Selbstidentifikation des modernen Individuums überhaupt" (2001, 205). ["*Bildung* stands in close connection with the economic status of the self-determination and self-identification of the modern individual in general".]

Hegel describes civil society as itself the site of *Bildung*, and not merely an unfortunate yet necessary condition for its flourishing.

In my reading of the *Phenomenology*, I already indicated some of the ways in which *Bildung* might bear on modern ethical life. I proposed that *Bildung* incorporates the sorts of reflection that help sustain our commitment to social practices, and that any culture has been and must continue to be constituted through human activity. But in the *Philosophy of Right* Hegel has surprisingly little to say about these aspects of *Bildung*, especially about the role of “spiritual culture” in ethical life. Instead he situates *Bildung* in the sphere of civil society, which is the domain of “practical culture.” Moreover, he focuses his account on the formative education of the individual social member, which might suggest that he is rejecting the synonymy between *Bildung* and *Kultur*. Finally, even individual education in this context appears to be discontinuous with ethical upbringing and looks to be in service of purely instrumental ends. If I want to deny these conclusions, I have to show that Hegel’s depiction of *Bildung* in civil society does bear on questions about the ethics of culture. By investigating the extent to which individual *Bildung* contributes to the aim of cultivating an ethical disposition, we will begin to see what Hegel takes to be the proper role of cultural pluralism in modern ethical life and of cultural identity in the life of modern ethical agents.

Hegel positions civil society as a point of transition between the family and the state, even though its basic principle looks to be radically opposed to those of either sphere. Kin take the good of the family to be their personal aim, and citizens orient their activities towards the good of their society as a whole, while “the concrete person, who as a *particular* is his own end... is the one principle of civil society” (PR §182).

Civil society provides an outlet for the particular and arbitrary wills of individuals, allowing them to make the satisfaction of their subjective needs and desires their primary concern. But it turns out that I cannot attain private satisfaction without entering into relations with others, whose needs and desires place constraints on my will. In Hegel's words, "in civil society is each his own end, everything else is nothing to him. But without relation to others he cannot attain the scope of his ends; these others are thus means for the end of particularity" (PR §182A). Although the principle of universality remains operative in civil society, it is treated as a mere means for the satisfaction of particularity. For Hegel this would imply that "the ethical is here in lost in its extremes" (PR §184A).

As I previously mentioned, Hegel echoes Adam Smith when he characterizes such "self-seeking" (*selbstsüchtig*) activity as inadvertently benefiting everyone else. He claims that "by earning, producing, and enjoying for himself, each precisely thereby produces and earns for the enjoyment of rest" (PR §199). But this argument can at best prove that civil society is rational at the institutional level. It does not yet show that its members can be considered rational, given that they only contribute to the greater good because they are not concerned with it and continue to be motivated by sheer self-interest. Such agents would seem to resemble animals, whose behavior conforms to the laws of nature without their knowing or willing it. Hegel goes beyond the tradition of political economy when he insists that participation in civil society must also be shown to be subjectively rational, free, and good, if the institution itself is to be justifiable. He writes, "the interest of the idea [of freedom], which does not lie in the consciousness of the members of civil society as such, is the *process* of raising their

singularity and naturalness... to formal freedom and formal universality of knowing and willing, of forming (*bilden*) subjectivity in their particularity” (PR §187). He calls this process *Bildung*.

Although Hegel considers *Bildung*, unlike *Erziehung*, to be a form of *self*-education, this can sound misleading. For example, Hegel is not talking about what we think of as being self-taught rather than taught in educational institutions. Moreover, he is not even talking about an education we decide to undertake. Fred Neuhouser in his insightful elucidation of *Bildung* in civil society correctly points out that “it is intrinsic to the nature of *Bildung* that it takes place unconsciously and involuntarily, behind the backs, so to speak, of the very subjects who undergo the process of formation.”¹⁰² *Bildung* must take this unconscious and involuntary form not only because unformed individuals at first lack the desire to be formed, but also because they lack the capacities necessary for making a conscious and voluntary decision. According to Neuhouser, civil society is especially suited to this educative task precisely because individuals *must* enter it in order to satisfy their basic needs and so have no choice but to undergo this process.

But there is an important sense in which *Bildung* can be described as *self*-directed. For Hegel this has to do with the close connection between *Bildung* and work, a connection he repeatedly reiterates. He even defines *Bildung* as a subject’s own liberation through “hard work against the sheer subjectivity of behavior, against the immediacy of desire as well as against the subjective arrogance of feeling and the

¹⁰² Neuhouser (2000), 149.

arbitrary will (*Willkür*) of pleasure” (PR §187). Hegel identifies several aspects of work that are central to its formative power. The first has to do with its submission of desire. As we have seen in the slave’s laboring activity, work has the effect of postponing the fulfillment of desires because the desired object must first be produced before it can be enjoyed. The better we become at ignoring our desires the more control we gain over our own will. But work also generates new and higher desires, such as the desire for luxuries beyond the satisfaction of natural needs. Moreover, Hegel claims that work generates a significantly different kind of desire, namely the desire to be busy. Thus Hegel remarks that “the barbarian is lazy and is distinguished from the educated person (*Gebildeten*) by his brooding stupor, because practical education (*praktische Bildung*) consists precisely in the habit and in the need for activity” (PR §197A).

Finally, work trains individuals in specific skills and so gives them a sense of personal self-worth and pride in what they do. This acquisition of specialized skills seems to be an artifact of the division of labor, specifically the growing social interdependence which Hegel associates with “abstraction.” In the process of abstraction, needs and desires becomes increasingly particularized and directed not only at specific objects, but even at specific features of objects. This is accompanied by a growing demand that labor be “socially productive,” to borrow Neuhouser’s phrase. This means that my labor must be responsive to these highly specialized desires and that the goods I produce must meet the desires of others, if my own desires are to be met. It also implies that my own work stands in relation to the work of others. While labor remains an engagement with the world of objects, consumption becomes a social

matter, in which the human being relates first and foremost to what has been produced by other human beings.

Although becoming industrious and self-disciplined are important aspects of education, it is really the social context of work that has substantive ethical effects on individual agents. As in the *Phenomenology*, Hegel characterizes *Bildung* primarily as a process in which the individual is educated to the level of the universal. Much like the man of culture in the *Bildung*-chapter, the member of civil society can only distinguish himself as an individual by entering into a certain profession and so committing himself to a specific social position and Hegel stresses that is only in virtue of this position that he counts as *someone*. But unlike the man of culture, the member of civil society cannot merely keep to his professional sphere and measure himself solely by its standards. Because of the growing economic interdependence among all parts of civil society – which Hegel calls the “system of needs” – each member is brought into relation with every other member and so must learn to adjust his behavior according to more widely accepted norms than the man of culture was willing to acknowledge.

Hegel characterizes this transformation in several different ways. For example, he argues that *Bildung* consists in learning how to take the perspective of others into consideration and he contrasts this with the manner of the uncultured person, who tends to offend people easily. Although it is not his intention to cause offense, he has “no reflection for the feelings of others” (PR §187A). This is of course reminiscent of the cultivation Hegel described in the *Phenomenology*, since being cultivated also involved considering one’s own behavior from the standpoint of others. But as I already mentioned, there is a wider range of others that the member of civil society must take

into consideration, because his economic activity puts him in contact with all other social members. Hegel also describes this as a process of adopting a more and more universal point of view towards the situation at hand. What this means is that the cultured person is able to take a wider range of aspects of the particular situation into account. He echoes this claim in the *Lectures on the Philosophy of World History*:

The cultured person [*Gebildeter*] approaches objects and considers the different sides; they are present to him. Cultured reflection [*gebildete Reflexion*] has given them the form of universality... Thus the cultured person can in his behavior grant the individual circumstances their right, while the uncultured person – though with good intentions – clings to one side, but in doing so offends many other sides (VPG, 43).

One way to paraphrase this is to say that the cultured person becomes more attentive to the multiple facets of the specific circumstances he confronts because he is able and willing to consider how that situation looks to those who occupy perspectives different from his own.

It is important to stress that even the practical *Bildung* Hegel here describes is closely tied to universality. Hans-Georg Gadamer, who is undeniably influenced by Hegel's conception of *Bildung*, also emphasizes that its general characteristic is “keeping oneself open to what is other – to other, more universal points of view.”¹⁰³ Nor does he depart from Hegel when he argues that attaining such a universal perspective is nothing over and above taking the perspective of others into consideration. As Gadamer puts it, “to distance oneself from oneself and from one's private purposes means to look at these in the way that others see them...The universal viewpoints to which the cultivated man (*gebildet*) keeps himself open are not a fixed applicable

¹⁰³ Gadamer (1989), 50.

yardstick, but are present to him only as the viewpoints of possible others.”¹⁰⁴ This suggests first of all that becoming formed or cultured is not a matter of attaining a completely impartial perspective, a God’s eye point of view, so to speak. Rather, it is a matter of being able to enter the perspectives of others. It also suggests that the process of *Bildung* is a gradual one, for our perspective becomes increasingly universalized as we as a matter of fact encounter and engage with others. It is not a radical leap from particularity to universality.

But *Bildung* issues not only in a perspectival shift, it also produces changes in our practices. According to Hegel, participating in this vast system of needs requires that one adopt the habits, customs and even opinions of others:

Everything particular becomes to that extent something social; in the manner of clothing, in the time of eating, there lies a certain convenience which one must adopt, because with respect to such things it is not worth the trouble to want to show one’s own opinion, rather it is wisest to proceed in them like others (PR §192A).

My self-interest compels me to conform to certain informal practices and codes of conduct, which has the effect of standardizing and disseminating them throughout the whole of civil society. This conformity to shared norms, customs, and tastes even affects what objects we come to need or desire. In other words, the general effect of *Bildung* is the emergence of shared standards on the level of individual development as well as on the social level. This suggests that participation in civil society is not merely a matter of an individual’s self-cultivation, but does have cultural effects. Not only are we producing goods that others can enjoy, we are also transforming our very customs in this process.

¹⁰⁴ Gadamer (1989), 17.

It is frequently assumed that Hegel believes that the members of ethical life must already share a set of richly cultural practices, and Hegel's remarks about custom at the beginning of his chapter on *Sittlichkeit* can give that impression. But this is highly misleading, for Hegel considers the modern state as capable of incorporating various levels of disagreement and diversity. In fact Hegel distinguishes between a state and a nation precisely on the basis of what its members must have in common. According to Hegel, a state is founded on merely "juridical relations" whereas a nation is a community that shares "speech, mores and customs (*Sitten und Gewohnheiten*) and culture (*Bildung*)."¹⁰⁵ Mark Tunick has made much of this distinction and argues that for Hegel modern social ties cannot rest on a common cultural heritage, which includes history, tradition, language, taste, and even to a certain extent values.¹⁰⁶ Although he is right in stressing that for Hegel the modern state must be able to incorporate a diversity of cultural backgrounds, he overlooks the fact that part of the function of civil society is precisely to homogenize customs and so give rise to a shared culture even where there may have been none before.

Hegel claims that this convergence of individual conformity with cultural homogeneity brings about a "formal universality" of willing. In calling this universality *formal*, Hegel wants to emphasize that the public features of civil society set the formal constraints on my economic activity, which I continue to pursue with the aim of satisfying my particularity. Shared customs limit my pursuit of individual wealth, because I cannot achieve my private ends unless I conform to them. But it might seem

¹⁰⁵ See Tunick (2001).

¹⁰⁶ Ibid.

as if I continue to view them as mere means that I cannot circumvent, but that I do not consider valuable in their own right. Although this perhaps captures our initial attitude towards the universal, Hegel suggests that submitting my conduct to shared practices brings about a transformation in my attitude towards others. In a striking passage he writes:

It belongs to *Bildung*, thinking as an individual's consciousness in the form of the universal, that I am grasped as a *universal person*, in which *everyone* is identical. The *human being counts, because he is a human being*, not because he is Jewish, Catholic, Protestant, German, Italian, etc. (PR §209).

This seems to be the most explicitly ethical effect of *Bildung*, for it goes beyond merely taking the perspective of others into consideration. According to Hegel, participation in the market compels us to disregard those features that distinguish people from one another, especially their race, ethnicity, and religion. In other words, practical *Bildung* generates an attitude towards every human being as a human being, not as the member of some narrower community. At least in our economic interactions, each member of society is on equal footing with every other.

Because this attitude shares certain features with cosmopolitanism, Hegel is careful to disavow this association. There is a sense in which the cultured individual becomes a citizen of the world insofar as he does not restrict his dealings to – and does not give preferential treatment to – those who inhabit the same community as he does. At the same time, this perspective that regards all others as bare members of civil society cannot come to compete with our commitment to our particular forms of community. As Hegel puts it, “The consciousness, for which the *thought* counts, is of infinite importance – and is only then deficient, when it becomes something like

cosmopolitanism and fixes itself in opposition to the concrete life of the state” (PR §209). The issue of cosmopolitanism is especially pressing in this context because civil society does not seem to respect the political borders of a nation-state. Through trade it aims to establish a marketplace of global scope and so the kind of relationships it fosters could be regarded as threatening to patriotism and to other local bonds.

But Hegel is so eager to distinguish cosmopolitanism from *Bildung* precisely because the two have crucial features in common. In learning to adapt to the ways of life of others and to take their perspective into consideration, the educated individual also gives up particularities that would make him stand out. Thus Hegel invokes this dual sense of universality in civil society by drawing an analogy between *Bildung* and money. “Educated people [*gebildete Menschen*] look alike like coins which have been in circulation for a long time” (VRP, 310). While giving up certain particularities, namely individual idiosyncrasies, is a necessary and positive effect of *Bildung*, Hegel is worried about the dissolution of all particular commitments. According to Hegel, becoming “cultured” cannot require becoming unattached to any specific way of life.

We can discover the significant role of particular attachments even within the economic activities of a single state. Although for Hegel civil society remains a sphere in which each individual is free to indulge his individuality (or in Hegel’s terms, his particularity), he emphasizes that this institution must exhibit a differentiated internal structure. As we have seen, this is a feature that Charles Taylor especially emphasizes. To be more precise, Hegel thinks that individuals participate in civil society not as mere individuals – and in that respect no different from any other individuals – but as members of what he calls “estates” (*Stände*). Estates are in some respects akin to social

classes because they are determined by the kind of professions its members pursue. Thus Hegel divides civil society into three estates, the agricultural or “substantial” estate, the business estate, and the “universal” estate of civil servants. Members of the first estate share a commitment to religion and to the earth, and Hegel even ascribes to them a specific attitude of gratitude and trust in God for the fruits of their labor. The second estate is even differentiated into further professional domains – craft, manufacture, and trade – though its members all share a sense that what they possess is something they themselves have earned. Because the third estate (not to be confused with *the* third estate)¹⁰⁷ does not engage in economic life directly but is employed by the state, it is able to focus its attention on the universal interests of the community.

Because each estate involves different professional spheres, they represent distinct sets of values (or, as we have previously seen, a distinct code of conduct) that coexist within civil society. In fact it looks like at least in the *Philosophy of Right* pluralism in modern ethical life enters more at the level of estates than at that of ethnicity or nationality. Hegel argues that such estates are more compatible with the freedom at issue in civil society because membership in an estate is at least in part up to an individual. Conversely he criticizes the caste system in India for condemning people to a certain social class without leaving any room for their own preferences in the matter.¹⁰⁸ Of course what estate one ultimately joins will also depend on talent and upbringing, and so is not completely contingent upon individual preference. But for

¹⁰⁷ As in Abbé Sieyès’s pamphlet, “What is the Third Estate?”

¹⁰⁸ See PR §206.

Hegel it is important that an individual can view his membership in an estate as at least in part a personal achievement.

This suggests that estates cannot be simply equated with cultural communities in the traditional sense, as Taylor seems to do. While members of an estate do in a sense share “culture, values, and modes of life”, these are not something an individual merely inherits. Moreover, they are a product of the professional ties that bind the members of an estate. We have seen that in his account of civil society, Hegel emphasizes the transformative effect of participating in the market. According to Hegel, the customs shared by participants in a society’s practices are to a large extent produced by their economic activity and interaction. At the same time, estates for Hegel do serve the kind of role that Taylor envisions. According to Taylor, Hegel thinks that differentiation provides a basis for identification and that we cannot simply conceive of ourselves as citizens of a common state, but must identify with our own partial communities and their local customs.

Hegel certainly gives us reasons to think that this is his view. Estates are so central to Hegel’s account of civil society not only because they enable something like communal life within a sphere of rampant individualism, but also because they demand a commitment to a particular way of life rather than another. “In saying that the human being must be *something*, we mean that he belongs to a determinate estate” (PR §207). This is reminiscent of Hegel’s claim in the *Phenomenology* that one can only become “someone” by adopting a specific social position and conforming one’s behavior to its norms. In other words, commitments to a particular profession or professional community provide us with a more determinate self-conception. If we

regard estates as cultural communities, this would mean that cultural membership is indeed integral to an agent's identity. But for Hegel our allegiance to our estate cannot preclude other bases of identification. Since such local communities form part of a larger social network that generates shared customs, our identities are never exhausted by our membership in them.

Hegel's views about the formative effects of participation in civil society have interesting implications for cultural pluralism. As we have seen, Hegel's account of ethical life, especially his account of civil society, shows that a certain degree of pluralism is not only permitted, but even required. Becoming a member of civil society involves entering an estate that differs from other estates in cultural respects because it embodies a distinct outlook, privileging certain concerns over others and thus shaping the values of its members. For example, the agricultural estate expresses an attitude of trust, faith, and gratitude, foregrounds family and tradition, and partakes in certain religious practices, that the other estates do not. According to Hegel, becoming a member of an estate is important precisely because its outlook differs from those of other estates. Without such differentiation, our participation in civil society would fail to provide us with a sufficiently determinate and robust self-conception. So becoming formed or *gebildet* does involve becoming a member of a "local" community in this sense.

At the same time, we have seen that Hegel frequently identifies *Bildung* with the attainment of a universal point of view. In other words, our commitment to our local community cannot sever us from the broader social practices in which we also participate. This could mean that we must be willing to adjust some of our practices to

those of others in order to cooperate in the wider system of needs of which we are a part. It could also mean that we must be willing to consider how our customs look to outsiders. So *Bildung* for Hegel consists not only in the acquisition of a determinate and differentiated identity, but also in the ability to regard oneself from the outside, so to speak. This is in part why *Bildung* shares so much with cosmopolitanism and why Hegel wants nevertheless to distinguish the two. According to Hegel, this “universal” perspective must be compatible with particular commitments and cannot result in an indifference towards one’s local forms of membership. To achieve *Bildung* is precisely to attain and sustain this union of worldliness and provinciality.

V. Modern Cultural Identity

I want to conclude by returning to a question I raised at the very outset of this chapter. Recall that thinkers like Anthony Appiah and Samuel Scheffler noted a tension in the very idea of cultural identification. They claimed that full-fledged cultural members do not relate to their own practices as cultural, and in that sense do not explicitly identify with the culture they inhabit. One could say that to assert one’s cultural identity is to take an external perspective on that culture because it involves adopting a reflective attitude towards it. In my reading of the *Bildung*-chapter, I emphasized one sense in which reflection could be seen as internal to cultural participation. There I argued that for Hegel participating in a culture involves producing objects that “mirror” the culture in which they are produced. I also suggested that Hegel privileges modern culture because of the kind of self-consciousness it has attained. In the context of modernity, members of a cultural community are not only reflecting about particular aspects of

their culture, they are also aware of the fact that their culture as a whole is cultural. In other words, they discovered something that was in a sense true even of their predecessors, namely, that all of their customs depend on human activity for their origin and sustenance.

But being conscious that your culture is a culture is not quite the same as being conscious of your cultural identity. Claims to cultural identity seem to involve an emphasis on the particularity of one's culture and on its being one's own. Although Hegel does not explicitly consider the nature and status of this kind of cultural self-consciousness, I do think his view has interesting and radical implications for such claims. Here I want to return to Michael Hardimon, whose discussion of the difference between Hegelian and communitarian conceptions of identity is especially illuminating. According to Hardimon, it looks as if the communitarian view accords with Hegel's depiction of the Greeks, for Hegel claims that the Greeks were unable to abstract from and reflect on their social roles and communal membership. But this kinship is misleading. As Hardimon points out, communitarians tend to argue that (some) people believe that they are unable to abstract from and reflect on their roles and membership, and this is quite different from saying that they are in fact unable to do so. Although Hardimon does not draw this conclusion, one could say that the communitarian account is self-defeating, for forming an explicit belief about your identity is already to have abstracted from and reflected on that identity.

I think Hegel would be highly skeptical of the suggestion that there are contemporary communities so unaffected by modernity that they have managed to insulate themselves entirely from its reflective practices. In a slightly different context,

Hegel describes the Enlightenment – a central influence in the emergence of modern culture – as “comparable to a silent expansion or *diffusion*, like of a perfume in the unresisting atmosphere. It is a penetrating infection which does not make itself noticeable beforehand as something opposed to the indifferent element into which it insinuates itself, and therefore cannot be warded off” (PG §545). But as Hardimon rightly emphasizes, communitarians in a sense exaggerate the extent to which we are self-conscious of our own identities. It is Hegel’s view that we possess identities that we do not tend to think about, even though they figure in our deliberations and actions. According to Hegel, we can miss the extent to which we do identify with our forms of membership because we fail to see how much they bear on our lives.

Moreover, Hegel suggests that our explicit self-conceptions can be at odds with and so misrepresent our own identities. Hardimon does not remark on this Hegelian insight, but I do think it bears directly on the issue of cultural identity as the communitarians conceive it. Although Hegel would say that those who believe that they are unable to abstract from their cultural identities are in a sense deluded, they are not merely ignorant of their own capacity for abstraction. The identity they ascribe to themselves is itself a mark of delusion. Throughout the *Phenomenology* Hegel explores various dissonances between how we conceive of ourselves and who we turn out to be and in this way emphasizes the fantasies we are prone to indulge. For example, we have seen that in the master-slave dialectic the master becomes a victim of such ignorance, for the independent status he ascribes to himself is falsified by the dependence his actions exhibit. It is Hegel’s firm conviction that attaining self-knowledge is a highly difficult task and one that is vulnerable to forms of deception, for

who we are is not a function of who we *think* we are, but of who we prove to be in what we *do*.

In conclusion, I want to propose one way in which Hegel's broader picture of self-deception can become relevant to the notion of cultural identity. Although it is certainly possible that someone could be right in ascribing a particular cultural membership to himself, Hegel gives us reasons to worry about such self-ascriptions. Identifications with a culture tend to be framed in exclusive terms. This is especially vivid in the context of immigrant communities. For example, if I were to claim that I am a Croat despite residing in the United States, I would presumably want to disassociate myself from the latter culture and identify solely with the former. But for Hegel this would be to refuse to acknowledge that I also participate in many American practices, whether I want to admit this or not. We have seen that Hegel emphasizes the transformative effects of *Bildung* not only on individuals but also on the culture itself. As Hegel points out, economic life gives rise to shared customs. So when we conceive of ourselves as members of one particular culture and no other, our self-conception fails to reflect the trans-cultural practices in which we are already engaged. In Hegel we find untapped resources for evaluating claims to cultural identity, for Hegel would neither dismiss them as incoherent nor defend them as infallible, but consider whether they suffer from something he was especially worried about – one-sidedness.

Chapter 3

Critique

Though we have previously explored some of the ways in which reflection can be, or even must be, integrated into modern ethical life, one might nevertheless feel dissatisfied, as if we have been missing the point all along. Someone could retort that it is not reflection in general that has been our concern – reflection in the sense of deliberation about how to apply given norms, or reflection in the sense of an overt affirmation of them. What Hegel's critics suspect is that his account of ethical life fails to incorporate reflection of the *critical* sort. Does Hegel allow for the possibility of criticizing our social world, for positively objecting to it? Moreover, does Hegel allow for the possibility of criticizing not just some practice or another, but principles that lie

at the basis of our social world as a whole? In short, how deep can criticism run and what resources do we have for engaging in it?

In this chapter I propose a response to this set of concerns that is Hegelian in spirit, even if it requires going beyond the letter of Hegel's text. I should note at the outset that there is a hermeneutic difficulty here. Although Hegel focuses in much of his work precisely on the possibility of assessing, contesting, and changing a given normative framework, he never offers an explicit account of what such a critical stance would look like and what role it could play in the context of a distinctly modern form of ethical life. This could invite the impression that Hegel deems it superfluous in an already rational context, where it was not so for our predecessors. I do not think that our social order, as Hegel sees it, has by any means obviated the need for critical reflection once and for all, as no order ultimately can. Such a social order would, according to Hegel's own account, quickly ossify and deaden.¹⁰⁹ Nevertheless, this means that developing a suitable conception of critical reflection will require going beyond the central work in question – the *Elements of the Philosophy of Right* – and drawing on other resources Hegel has left at our disposal, especially those in his earlier *Phenomenology of Spirit*.¹¹⁰

¹⁰⁹ This follows from Hegel's conception of life, which he thinks applies to ethical life as well. As he states at the very outset, "Ethical life (*Sittlichkeit*) is the *idea of freedom* as the living good (*das lebendige Gute*)" (PR §142). For a form of spirit to remain alive, it must continue to generate contradictions (or bifurcation) and overcome them, only to generate new ones and overcome these as well. Since I undertake to show that critical reflection should be understood as a response to contradiction, it looks to be a vital moment in the "living" processes of all social life, including a fully rational social order such as the one Hegel here describes.

¹¹⁰ Traditional scholarship has often denied that the *Phenomenology of Spirit* could be brought to bear on a systematic text like the *Philosophy of Right*, since the *Phenomenology* is officially only a prelude to his "system." But few scholars today follow Hegel himself in drawing such a sharp line between what is within and what outside the system. Moreover, there seems to be a positive reason for comparing the *Phenomenology* with the *Philosophy of Right*. As we will see in greater detail, in the former Hegel assumes that every "configuration of consciousness" makes an implicit appeal to a criterion of *Maßstab* to which it holds itself. And he seems to

I admit that it may not seem obvious that Hegel even needs an account of social criticism in modern ethical life, that this is an omission on his part. Even those who hold that critical reflection must remain possible often argue that such reflection is already accommodated by what Hegel calls “true conscience.” Of course, Hegel undeniably disparages appeals to conscience in his treatment of the moral point of view.¹¹¹ But he takes issue only with “formal conscience” – namely, with a form of conscience that claims to be able to determine the good through introspection alone, thus asserting that its duty is nothing over and above whatever it thinks its duty is. True conscience in contrast does not make claims to such peerless authority, but it does impose a subjective requirement on what can count as the objective good. This version of conscience takes the form of a right – the “right of the subjective will” – according to which I must be in a position to grasp the goodness of whatever I am to publicly recognize as good.¹¹² So this right seems to grant a space to critical reflection, to a

assume the same for social practices in *Philosophy of Right*. So there is a structural similarity between “configurations of consciousness” and “configurations of spirit,” which include modern ethical life.

¹¹¹ In addition to Hegel’s specific objection to conscience in the chapter on “Morality,” conscience also seems to be one of his central targets in the *Philosophy of Right* as a whole. His preface is largely a polemic against the *Überzeugungsethik*, or ethic of conviction, dominant in his day. So its status in ethical life is obviously a significant question that the work itself raises.

¹¹² He defines it in the following way: “The right of the subjective will is that whatever it is to recognize as valid should be perceived [*Eingesehen*] by it as good, and that an action – as its aim translated into external objectivity – should be ascribed to as right or wrong, good or evil, legal or illegal, according to its cognizance of the value which that action has in this objectivity” (PR §132). So according to Hegel’s definition, this right incorporates an additional component, namely, that I am only responsible for those actions I know I committed. I should add that this is not a “right” in the traditional sense, for it is not one that the state must overtly sanction. Rather, it is a perhaps unofficial requirement for the full realization of the kind of freedom that “morality” promises. Hegel is not employing the liberal notion of a right, but rather considers a right to be any realization of freedom in the social world.

questioning of social norms, in which case there would be nothing lacking in Hegel's official account.¹¹³

But true conscience and its corresponding right of subjectivity strike me as clearly inadequate concessions to critique. I do agree that the preservation of conscience has implications for the role of critical reflection, for it does indicate that we must in principle be permitted to ask ourselves whether a given norm is valid or not. Hegel is quite clear on this point by designating it to be a "right." However, this is all its preservation can tell us. It does not yet tell us how we can ever settle the question, namely how we can figure out whether a given norm is indeed valid or not. The perspective of conscience is not a full-fledged perspective at all, not a point of view that grants us substantive insight into how to proceed, should our norms have come into question.¹¹⁴ This is what Hegel implies when he describes this right as merely "formal" (in the sense of merely subjective) and so as lacking a criterion for distinguishing truth from opinion and error.

Moreover, it does not yet tell us whether occasions for raising this question could ever even arise. In other words, it could very well turn out that we never encounter grounds for doubting the validity of our norms. This means that we have not hereby

¹¹³ There are numerous variations of this reading, but the baldest is perhaps Allen Wood's. Although phrased rather cryptically, this is at least how I understand the following claim: "At least in its mature form, the conception of ethical life is intended to include rather than exclude individual moral reflection. *Sittlichkeit*, as Hegel means it, is a special kind of critical reflection on social life, not a prohibition against reflection" (Wood 1990, 196).

¹¹⁴ Hegel does mention conditions under which "what counts as the right and the good in actuality and custom cannot satisfy the better will" (PR §138), and these do seem to him to justify retreating into oneself in search of the right and the good. But this does not mean that he thinks such a search can ever succeed. He seems to imply that "in times when actuality is a hollow, spiritless, and unsettled existence" (PR §138A), we lose any means for distinguishing the moral genius from the sheer fanatic.

demonstrated the possibility of genuine criticism, for the right of subjectivity could plausibly be satisfied through reflective affirmation alone. All I need to be able to do is to pause for a moment in my habitual adherence and abstract away from a given norm in order to inquire into its validity. But this does not yet indicate that I could ever discover this norm to be invalid. So making room for criticism requires more. It requires showing something about the social world we inhabit, and not only about our available attitudes toward it – namely, that even modern ethical life can be objectively in need of criticism.

Be that as it may, my reasons for wanting to develop a Hegelian conception of critical reflection are not exclusively hermeneutic, so as to supplement his official theory or mend a textual gap. I think such a reconstruction and reconsideration is worth undertaking because it can offer a conception of critical reflection that takes full account of its virtues and drawbacks. As I read him, Hegel stands in the tradition of thinkers who are weary of an unlimited exercise of critical reflection and who contest its unconditional value. I call them the “critics of critical criticism.”¹¹⁵ Although his weariness may not be as deep-seated as some, he is not convinced that it is always a good idea to scrutinize our social world with a critical eye, namely with a view to *revising* its norms. He suggests in various ways that such reflection has destructive repercussions because it incites us to doubt what we may have no reason to doubt, and because it tends to spread from doubt about the validity of one contested norm to

¹¹⁵ I am taking this phrase from the subtitle of Marx’ work *The Holy Family* (1844). Although Marx’ target differs from Hegel’s, and he even has a certain strand of Hegelianism in mind, I think that Hegel is perhaps more of an ally than is generally acknowledged, for both are concerned with excessive abstraction, as well as with the practical limitations of philosophical reflection.

doubt about the social order as a whole. So a valuable form of critical reflection would need to be constricted in the face of its tendency to dissipate far and wide.

The conception I propose is able to meet the challenge posed by his fellow critics in offering a form of critical reflection that keeps to its proper bounds and questions only what has proven to be questionable. In short, the thesis I am here advancing is that critical reflection for Hegel does occupy a valued place in ethical life, but that its value is not unconditional, for it is not a good thing to practice under any and all circumstances. Rather, Hegel thinks that critical reflection must be motivated not by the mere possibility that there could be something wrong with our norms, but by an actual confrontation with problems. It is such problems, which he characterizes as varieties of “contradiction,” that call for and in turn justify the activity of reflecting critically.

At first glance, this may strike many a thoroughly reasonable view to hold, one that few would be inclined to challenge. It would after all be highly impractical, to say the least, to engage in perpetual social criticism. Such a critic would be like the skeptic who does not know how to close the door to her study and reenter social life. Who would object to caution against unhindered reflection? And if no one would, why should a Hegelian response be of special interest to us?

While I cannot yet answer this charge in full, I want to point to two conceivably controversial dimensions of the view I am advancing on Hegel’s behalf. The first concerns the conception of ethical knowledge that lies at its basis. If we really have no grounds for reflecting on our social norms until they produce problems that prove them to be worthy of reflection, then we are *right* to adhere to them even before we ask

ourselves whether the ways we ordinarily justify them are adequate – even if we in fact never ask ourselves whether they are. This seems to suggest, albeit obliquely, that there can be ethical knowledge at the unreflective level, knowledge that is not first earned through the exercise of reflection. It is easy to see that this would not be an uncontroversial claim, for it runs counter to a dominant intuition that we can only claim to know what we can fully justify. Of course this is not to say that Hegel thinks we can claim to know what we can in no way justify. All he holds is that we need not interrogate our ordinary modes of justification themselves before we are entitled to employ them.¹¹⁶

The second concerns an implication of his view that I admit to be worrisome. Although I think this view has considerable merit, I will address one significant consideration against it. I am especially concerned with the objection that it rests on a brand of optimism we have reason to resist, namely on the confidence that, should there be something worth criticizing, it will reveal itself to be so by generating contradictions that stunt our efforts to continue as before. After all, keeping critical reflection constricted in this way assumes that we have no reason to question our social practices before any problems have come into view. But should we trust that,

¹¹⁶ This may seem inconsistent with Hegel's notoriously demanding epistemic standards, his thesis that we only truly know that which we can situate within his highly complex and complete "system" of mutually justifying elements. Anything short of it does not yet count as knowledge, because somewhere down the line we always end up depending on a presupposition that we cannot at all justify. Perhaps it would help to distinguish between two kinds of knowledge – knowledge proper and practical knowledge. Practical knowledge allows us to successfully navigate our practices, and it counts as knowledge because it possesses an objective content. But it falls short of knowledge proper mainly because it cannot secure itself from the threat of skepticism. The system has the important function of revealing that we do really know what we have come to doubt we know, so of fortifying practical knowledge. I will take this up in the following chapter.

whenever we are dealing with ethically objectionable practices, sooner or later such problems cannot fail to arise and give rise to the appropriate critical responses?

My aim in this chapter is as follows. I will begin by returning to my suggestion that Hegel should be read as a “critic of critical criticism”, clarifying what I mean by “critical criticism” and positioning my reading within the spectrum of scholarship. I will then outline a conception to be found in the *Phenomenology of Spirit* that I think can satisfy a “critic of critical criticism” of Hegel’s frame of mind. This conception is nothing other than what is already known as “immanent critique,” though with a different set of emphases, especially its dependence on *experience*. Next I will illustrate immanent critique at work in the context of the Greek polis before assessing its relevance to the modern context. This last move is also the most contentious, for it is precisely the *continued* need for immanent critique that is in question.

I. Critical Criticism

Since “critical criticism” is not a standard phrase, let me attempt to explain what I have in mind by means of another, far harsher critic. In his *Ethics and the Limits of Philosophy*, Bernard Williams raises doubts about the value of critical reflection, which he broadly defines as a skeptical interrogation of our ordinary ways of justifying what we do, or into our justificatory reasons. Critical reflection does not necessarily lead to criticism in the narrower sense, for it could very well turn out that, once we have interrogated our reasons, we find them to be justified. All it does is open up the possibility of reaching the opposite conclusion.

But this on its own is not what renders critical reflection suspect in William's eyes. Rather, it is its revisionary aspiration. Williams thinks this aspiration is a drive toward developing a moral *theory*, namely toward arriving at a single normative standard by which to assess all actions. He also describes this a drive toward *systematicity*, and he claims that, unless it is somehow curbed, this drive directs all critical reflection. This means that, even when it does not debunk a given justificatory reason, critical reflection proceeds by replacing a rich reservoir of evaluative concepts with a smaller and thinner set. For example, rather than characterize someone's behavior as "rude" or "warm," we are asked to justify judging it favorably or unfavorably in terms like "right" and "wrong." Williams' point is that we had ways of justifying our judgments by means of traditional concepts. The problem arises as soon as we begin to look upon these concepts themselves as in need of a further justification. And narrowing our normative resources just is a basic feature of critical reflection, regardless of whether its conclusion is ultimately affirmative or not. For Williams, this is a destructive process.

Is Hegel a "critic of critical criticism" in Williams' sense? Is he doubtful of the value of critical reflection, and if so, does he doubt its value on the same grounds? There is no consensus among his readership on this point. While most would likely deny that he could be rightly classified as such a critic, there have been others who suspect him of being of the most conservative variety. And it is indeed difficult to overlook that Hegel often speaks against the exercise of critical reflection. His primary target tends to be criticism in the domain of philosophical thought, and he notoriously distinguishes philosophy's proper task of comprehending the social world from that of

issuing corrections for it.¹¹⁷ In this vein he describes his own project as follows: “As a philosophical work it must be farthest away from having to construct a state as it ought to be; the instruction that it contains cannot aim to instruct the state, how it should be, rather more how it – the ethical universe – should be understood” (PR, 26). It is not difficult to see that he has the “critical critic” of the state in mind, namely, a philosopher who purports to know its current faults and to be able to construct a better version, at least in thought.

But warnings against such hubris extend beyond his programmatic remarks regarding the proper aims of philosophy, and Hegel often criticizes critical reflection in broader strokes, describing it as essentially restless and ultimately empty. For example, he is reported to have said that “[it] is only too easy to indulge in criticism, and it helps to confirm men’s estimates of their own superior knowledge and good intention” (VPG, 66). Here it sounds as if he is not merely discouraging philosophy from becoming a critical enterprise, but considers it shortsighted and misguided in other contexts as well. Though this is not yet to call it destructive, the kind of condescension Hegel associates with the critical attitude points in that direction. Moreover, in the background is his worry that reflection tends to generate abstractions that have damaging repercussions because they lead to forms of confusion he diagnoses as “one-sidedness.” As soon as we begin to reflect, we inevitably narrow the range of standards we think we can rightfully employ, preferably until we arrive at a single measure. This

¹¹⁷ This is somewhat misleading, because Hegel does condone and even advocate a form of philosophical critique, but one that is directed at the abstractions generated by reflection, rather than directly at the social world. As he puts it in his introduction to the “Critical Journal,” the task of critique is to extract the idea of philosophy from its various deficient manifestations in contemporary thought.

for Hegel has to do with the close proximity between the activity of reflection and that of abstraction, which is an essential moment of all reflecting. In this respect he seems to anticipate Williams, who sees reflection as equally directed by what he calls a “systematic” drive toward a first principle that can serve as a criterion for every evaluative judgment.¹¹⁸

Another reason to call Hegel a “critic of critical reflection” has to do with his positive appraisal of unreflective attitudes associated with habitual conduct. As we have already seen, he states in a key passage that

[in] the simple identification of individuals with actuality (*Wirklichkeit*), the ethical (*das Sittliche*) appears as their general manner of conduct (*allgemeine Handlungsweise*), as custom (*Sitte*) – the habit (*Gewohnheit*) of the ethical appears as a second nature, which is put in place of the first purely natural will and which is the soul, meaning, and actuality permeating its existence (PR §151).

Here it sounds like he is privileging a rather extreme form of unreflectiveness, for if overt criticism lies on one end of the spectrum, habit is surely to be found on the other. Although I take myself to have already shown that an emphasis on habit is not incompatible with reflection, including critical reflection, I admit that it is not exactly conducive to it either. Even if being habitually immersed and adopting a critical distance can in principle coexist in ethical life, fixed habits may make the latter more difficult. So it is not unreasonable to suspect that the more immersed in our habitual ways we become, the more resistant we grow to even questioning, let alone altering, those ways. And even if we could move from habit to reflection with some ease, it would still not be possible for us to do both at once, to be both immersed and critical

¹¹⁸ This conception of reflection is one Hegel frequently associates with *Reflexionsphilosophie*.

at the same time. So his preference for habit does seem to come at an indirect cost to critical reflection.

It is passages like these that have inspired two types of charges against Hegel's account of modern ethical life. On the one hand, it has looked to some as if Hegel were denying the very possibility of critical reflection, suggesting that those who inhabit modern ethical life are so immersed in its practices that they are simply unable to distance themselves sufficiently from them. On the other hand, one might raise the slightly milder worry that Hegel, while not denying that it is in principle possible for social agents to engage in critical reflection, nevertheless discourages them from doing so. Both versions are contained in Ernst Tugendhat's infamous accusation that

Hegel does not allow for the possibility of a self-responsible, critical relationship to the community, to the state. Instead, we are told that the existing laws have an absolute authority, that a community determines what each individual must do, that each individual's own conscience must cease to exist, and that trust must replace reflection.¹¹⁹

Although the worries about the possibility of critique and about its value may look distinct, I take them to be importantly linked. For what someone like Tugendhat demands is not merely an explanation of how we, as participants in ethical life so understood, can come to engage in critical reflection at all, but of how we can come to do so rightfully. So I take it that the question about the available sources of critique is at bottom also a question about its positive import.

But there is a further, third question here. In asking about the possibility of critical reflection, we are not only questioning its value, but also its standpoint. In other words, what we want to know is what resources we have at our disposal for engaging in

¹¹⁹ Tugendhat (1986), 315.

critique, and how we can criticize society in a rational, rather than in an arbitrary or haphazard fashion. This is a version of the problem of finding and vindicating the appropriate standard or *Maßstab* that so preoccupied Hegel throughout his work. Most of his methodological discussions revolve around the necessity and difficulty of establishing just such a standard. In this context, the question can be put in the following way: to which normative measure can we appeal when critically assessing given social norms? Moreover, we ask this question as participants in the world Hegel is here describing, for what we want to know is what place for critical reflection remains *within* his account of ethical life. Thus our concern is really with critical reflection suited to, and appropriate for, social agents who are practically entangled in the very practices they seek to assess and who remain so entangled even while assessing them.

I think Tugendhat's accusation exposes a significant gap left open by the *Philosophy of Right* – the centerpiece of Hegel's mature practical philosophy – and so raises a genuine challenge, one that is no longer taken sufficiently seriously. What it reveals is that Hegel has told us too little about what critical reflection would entail for us, how it can even emerge within the practices of modern ethical life, and what tools we have for engaging in it. But much of the recent scholarship has vehemently rejected the type of reading Tugendhat represents, arguing that Hegel merely disparages certain forms of critical reflection and that the very project he undertakes in the *Philosophy of Right* illustrates an alternative he favors. What these scholars point out is that Hegel seems to be engaging at least in a highly reflective enterprise, even if not in a narrowly critical one. The standard strategy has been to argue that Hegel is indeed holding the

social world he wants to understand to rational standards of assessment, in order to show us that we can rationally endorse our own participation in it. Even though he ultimately concludes that this world is as it ought to be, there was always the possibility that his reflections could have yielded a different result and shown that it in fact fails to measure up. According to such readings, Hegel is undoubtedly reflecting critically, despite the fact that his final verdict is an affirmative one.¹²⁰

Although I grant that such efforts to show that Hegel is no enemy to critical reflection have been important in moving beyond the straw man that Tugendhat attacks, I have reservations about looking to Hegel's own philosophical project as a model for how to think about critical reflection within ethical life. While I have to postpone a more thorough discussion of this project to the following chapter, I want to point to one significant reason for resisting such a strategy in the first place. This has to do with the connection between critical reflection broadly speaking and criticism in the narrower sense. I do not dispute that these two need to be distinguished, for simply asking whether a social practice is justified does not yet entail that it is not. Hegel is the perfect counter-example, for he is after all both interrogating the adequacy of our social world *and* seeking to redeem it in our eyes.

¹²⁰ I want to mention two examples of this reading. Michael Hardimon (in *Hegel's Social Philosophy*) begins by arguing that Hegel's hostility towards critical reflection pertains merely to philosophy and has no implications for other domains of life and inquiry. But even if "[social] criticism may not be a *philosophical* activity in Hegel's view...his social philosophy provides the tools that enable one to engage in *philosophically informed* criticism of the social world" (1994, p. 29). Fred Neuhauser (in *Foundations of Hegel's Social Theory*) suggests an even stronger affinity between philosophical and critical reflection. According to Neuhauser, Hegel's effort to demonstrate that the social world is rational is meant to satisfy the aforementioned "right of subjectivity," which is the right of individuals to follow only those norms they can see as good. Neuhauser's claim is that this right requires a form of reflection that is best exemplified by philosophy as Hegel conducts it. So not only is Hegel engaging in a critical project, he is also promoting the same kind of critical reflection for social participants themselves, even if many of them are as a matter of fact unequipped to attain its highest (philosophical) form.

At the same time, it seems to me that to be worried about the status of critical reflection in ethical life is to want to know not whether those who partake in it are capable of abstracting from and evaluating the norms they habitually heed, but whether they could plausibly and legitimately *criticize* them. Tugendhat's challenge goes beyond the possibility of mere evaluation, a possibility which, I agree, Hegel himself demonstrates. Rather, Tugendhat accuses Hegel of precluding that we ever could legitimately object to aspects of our social world and judge them to be in need of change. I take this to indicate that, even if there is some sense in which Hegel is exercising critical reflection, it cannot be the relevant sense, for the philosophical perspective for him is unable to yield genuine criticism. He expresses this idea in a famous passage: "To say a further word on the subject of *issuing instructions* on how the world ought to be, philosophy anyway always comes too late for it... When philosophy paints its grey in grey, a shape of life has grown old, and it cannot be rejuvenated [*verjüngern*], but only understood; the owl of Minerva begins her flight only with the onset of dusk" (PR, 27-28).

II. Immanent Critique

My suggestion is that we look for a more suitable model in the *Phenomenology of Spirit*, specifically in its take on "immanent critique" – an idea often ascribed to Hegel, though he himself never uses the phrase. Immanent critique can be provisionally defined as a process of evaluating a practice in light of its normative commitment, or conversely, of evaluating a norm in light of its practical application. In the *Phenomenology*, this process takes on a consistently critical form, for the whole work explores those practices and

norms that fall into irresolvable contradictions and in this way reveal their respective inadequacies. But what makes such criticism “immanent” is that it needs nothing outside of the framework in question in order to expose its contradiction. The framework is itself responsible for generating the kinds of contradictions between norm and practice that provoke its adherents to rethink both. But the framework also provides its adherents with the critical standards for rethinking them, or at least for recognizing that they need to be rethought.

Drawing on this model, my proposal will be that we think of the sort of critical reflection available to, and appropriate for, participants in modern ethical life as immanent in two comparable respects. First, such reflection must remain immanently motivated, by which I mean responsive to practical failures that arise out of our social participation. Secondly, any critical response must make use of norms to which our social participation has already committed us. Although this does not yet foreclose the possibility that our deepest commitments could come into question, we only have reason to question them when they become questionable. And it is Hegel’s view that in modern ethical life they for the most part have not.

Before I turn to the *Phenomenology of Spirit* in greater detail, I want to circumscribe the relevant notion of “immanence” a bit more precisely and thus preempt possible sources of confusion. One might initially suspect that when I speak of immanent critique, I have in mind what is commonly referred to as “internal criticism.” Internal criticism, or the “criticism of practices by appeal to understandings,

norms, and values that are, at some level of generality, widely shared,”¹²¹ does at this very general level resemble the kind of process of reflection at issue here. It is moreover a form of criticism that we frequently exercise whenever we fault an institution, say, for example, the academy, for failing to live up to its own ideals and falling prey to economic interests at the expense of education and scholarship. But this is nevertheless not to be confused with immanent critique. Though internal criticism objects to practices for violating the standards they espouse, this type of objection differs from those voiced by an immanent critic in at least two respects.

First, it is effective only when we presuppose that there is a merely contingent connection between a practice and its standard and that a failure of application has no implication for the validity of the standard itself. An example might be calls for campaign finance reform, which do not challenge our political ideals themselves, only their implementation. As we will see more closely, immanent critique is interested in those practical failures which indicate that there is something wrong with our very standards, and that these – and not merely their implementation – are in need of reassessment and revision.¹²² Of course not all practical failures will be of this kind, and when there is only an issue of application, internal criticism is usually sufficient. But such criticism falls short in the face of those practical failures that do throw doubt on the standards themselves. Secondly, internal criticism seems to presuppose that we are self-conscious of the “understandings, norms, and values” we share and that we are

¹²¹ Here I am adopting the definition from Joshua Cohen (1997), 108, even though he himself dismisses this notion as too underdetermined to be of use.

¹²² I am grateful to Rahel Jaeggi for this distinction, which she explicitly thematizes in her forthcoming book, *Zur Kritik von Lebensformen*.

already ready to avow our commitment to them. But immanent critique often invokes norms that, albeit in a sense widely shared, are not always overtly acknowledged. So engaging in it could require that we first be made aware of commitments we may not have even known we had.¹²³

But if immanent critique is not confined to “shared understandings, norms, and values” in this sense, from what is it being distinguished? Does it have an outer limit? And what would even count as an “external” form of criticism? There are different ways of characterizing an external standpoint, and the most vivid might be that of the literal outsider, such as a tourist who judges foreign ways by comparing them to those of her compatriots. In this case one is still employing local standards of assessment, only not local to the society being assessed. Although this is perhaps the most extreme example, it does echo Hegel’s own reminders to the “critical critic,” namely that she is being too hasty in her condemnation and should refrain from dispensing verdicts until she has at least made a sincere effort to understand the modes of justification already at work in the practices before her.

One could also describe the standpoint distinctive of morality as external in a more interesting sense, for moral norms are thought to transcend any specific set of social practices one happens to inhabit. Given Hegel’s infamous emptiness charge against Kant’s moral law,¹²⁴ I suspect that he would deem this type of criticism to be

¹²³ As we will see, Antigone is an example of this. She believes that she is only committed to the divine law, but what her crime reveals is that she was implicitly committed to the human law as well, even though she failed to acknowledge it. I will return to this example below.

¹²⁴ Hegel famously accuses the moral law – understood as a version of the law of non-contradiction – of being too indeterminate to be able adequately to single out good from evil principles. For further discussion, see for example Ameriks (2000) or Wood (1989).

generally unhelpful, as he did when he attempted to employ a version of the categorical imperative in order to test which institution is the more rational, property or non-property.¹²⁵ But even if we do not want to follow Hegel in dismissing the moral law as devoid of all content, we might still question its critical potential. Even a social practice that passes the formal test could nevertheless turn out to be objectionable on more substantial grounds, such as when we criticize our attitudes towards death and mourning, or the anti-intellectualism that seeks to decrease funding for schools, eliminate humanities departments across the board, and deny any public authority to the natural sciences.

At the same time, it seems possible to construe Kant's reflective procedure itself in immanent terms as a way of exposing commitments I already have in virtue of being an agent, even if I fail to acknowledge them when I act. This is nothing other than the transcendental move from what I happen to value to the very conditions that enable me to value anything at all.¹²⁶ It is in a sense immanent, for it exposes implicit commitments. Nonetheless, this transcendental procedure differs from immanent

¹²⁵ In the chapter of the *Phenomenology* called "Reason as law-tester," Hegel argues that the categorical imperative can only expose a contradiction between a social practice on the one hand, and an individual action on the other. For example, it can show that theft is wrong only by presupposing that private property is something worth upholding. So Hegel tries to employ the categorical imperative to determine whether the institution of private property, or rather that of non-property, can be shown to be contradictory. Both institutions can be made to pass and both can be made to fail, and that with equal success. In this context I should note that Hegel is departing from Kant's own understanding of the categorical imperative, for Kant never meant to apply it to institutions, but to maxims of action. Hegel's point is, however, that the categorical imperative can only reveal contradictions in our maxims if we take certain background institutions for granted, institutions that the categorical imperative cannot effectively evaluate.

¹²⁶ Here I have specifically Christine Korsgaard's adaptation of Kant in mind. In *Sources of Normativity* she begins with what she calls our "practical identities," namely the particular ways in which we conceive of ourselves and which provide us with ends and obligations. She then goes on to argue that these practical identities are not themselves the source of the authority they have for us, but that their authority derives from our identity as human beings. It is meant to show that, if we value anything at all, we are thereby committed to valuing our own humanity.

critique, for it departs rather quickly from my concrete commitments. In other words, for it to work, it does not really matter what I happen to value – my particular point of departure – as long as I value anything at all. To be more precise, the determinate standard, to which it appeals, does not depend on the content of my given commitments, only on the fact that I have given commitments in the first place. Immanent critique is not indifferent to our starting points, nor does it automatically privilege the abstract principle over the concrete, the formal over the substantial.

Nonetheless, its kinship to the transcendental procedure should lead us to question whether the distinction between “internal” and “external” norms is all that helpful for understanding immanent critique. What sets it apart is perhaps less the norms to which it appeals, and more the way in which it appeals to them, namely by drawing the kinds of connections that show them to be part of our evaluative scheme, despite varying depths and distances from its core. Thus the critical resources available to an immanent critic remain immanent to the society under scrutiny, even if the divide between what lies inside and what lies outside is neither sharp nor fixed. This indicates that immanent critique is better understood as something like a method, one that might not always find a criterion ready to hand, but one that nevertheless searches out its “measure in the object of criticism itself.”¹²⁷

In the *Phenomenology of Spirit* Hegel in fact explicitly advances such a mode of measuring as his preferred methodology. Here he is, broadly speaking, evaluating various practices of reason-giving and their corresponding assumptions about what

¹²⁷ See Jaeggi, 35.

counts as a reason in the first place. In this way he claims to provide us with a way of rationally criticizing a given reason-giving practice without assuming a fixed standard of rationality. All we need to do is to take the standard of what counts as a reason that is being invoked in the practice in question and ask whether it itself can satisfy this standard. As Hegel puts it, “Consciousness provides its own criterion from within itself, in this way the investigation will become a comparison of consciousness with itself” (PG §84). So our grounds for objecting to a practice do not require transcending it, but rather exposing contradictions already at work within it. And these contradictions reveal themselves as inversions between how a practice envisions itself and what it proves – in practice – to be, even as it attempts to enact this very vision. Below I will elaborate one of Hegel’s examples of such a contradiction, but a provisional example might be the master-slave dialectic. The master envisioned freedom to involve freedom from any direct engagement with the material world, but as it turns out, enacting this vision made him thoroughly dependent on the slave’s laboring activity.

Although Hegel describes this critical procedure as one that we as philosophers should adopt (at least while at the stage of the *Phenomenology*) he also suggests that our object of investigation has in fact undergone this same process. What we are tracking is a procession of “configurations” (initially of consciousness, later of spirit) which are probably best described as normative frameworks of varying complexity, initially founded upon one principal norm. Each such configuration consists of two discrete but related poles – a conception of what is to count as a reason (which he calls “knowledge-for-itself”) and actual instances of reason-giving (or “knowledge-in-itself”)

– and “comparing consciousness with itself” involves weighing its two poles against each other. But Hegel thinks that consciousness is brought to evaluate its own configurations when it runs into contradictions that it cannot endure. In other words, the need for critical evaluation is not imposed by the readers, or for that matter by the writer of the *Phenomenology*, but has already been acknowledged by those who represent the perspective under investigation.¹²⁸ As we will see, it is because immanent critique operates at this practical level, and arises and proceeds within a given evaluative scheme, that it proves to be so suitable to ethical life.

But what makes immanent critique especially promising for our purposes is its revisionary upshot. It is crucial for Hegel that such criticism, even when exercised by the configurations themselves, is never merely negative, a dead end road, but always looks forward to a new and improved future. And this future is in a sense borne out of the present, for once we encounter a problem, it does not mean that we must now compose a new framework from scratch. Rather, “what emerges from this process is the *determinate* negative which is thereby a positive content” (PG §59). Hegel calls this transformative moment “determinate negation.”¹²⁹ One could say that the movement of immanent critique is that of discovering which among our norms are valid and

¹²⁸ In his influential commentary on the *Phenomenology*, Terry Pinkard stresses this point, arguing that Hegel’s theory is fulfilling an aim which “must be shown to *emerge* as a requirement itself, as something that those accounts themselves generate out of their own failures to make good on the terms they have set for themselves” (1996, p. 10).

¹²⁹ This notion of “determinate negation” is central to Hegel’s dialectic, a term I do not foreground in this context, but which is closely connected to the movement I am here describing. According to Hegel, the progression from one configuration of consciousness to another cannot be conceived as a linear improvement, but *must* work through contradictions that emerge within it. At the same time, these contradictions generate a new content and a new configuration that salvages elements from its predecessors. Thus Hegel’s answer to the question: “Why bother with the false?” (PG §38) is that even a configuration that is on the whole untenable contains some truth worth preserving.

which are not, and in light of these discoveries reshaping our framework without thereby dispensing with the valid aspects of its prior incarnation.

Perhaps this is a misleading way to put matters. While the hierarchy among our norms may shift, foundational norms are never completely discarded, but rather reinterpreted in a way that is meant to stay true to their spirit. We can see this at a general level throughout the *Phenomenology*, since the aspiration to freedom or self-standingness is at no point abandoned. Only what we take freedom to be changes in this process. As we will see, this seems to hold true for the *Philosophy of Right* as well, though in an increasingly determinate way. There it is not just the ideal of freedom as such that cannot be replaced with another. It is also the various forms we now know freedom must take – the different principles that shape a free life – that modern ethical life must continue to accommodate. But this is not to say that these principles cannot become newly understood, which for Hegel counts as a revisionary undertaking.

Furthermore, it is crucial that this process of revision leave neither the practice *nor* the standard unscathed. For Hegel, when we do stumble upon a practical failure to meet our own measure, this is no coincidence, nor is it a contingent outcome that could be remedied if we simply tried a little harder. As I noted, Hegel is interested in those failures that point to a necessary connection between a criterion and its enactment. In other words, when we systematically fail to do justice to certain standards, it reveals not our own imperfection, but the imperfection of those very standards. Thus in this process, “the criterion for testing changes, when that for which it was supposed to be the criterion fails to pass the test; and the test is not only a test of knowing, but also of its criterion” (PG §85).

There are, however, limitations to the extent to which immanent critique can be thought of as a test in any strict sense, for it is not a procedure that can be applied in abstraction from what Hegel calls “experience.” I want to underscore this notion because I think it plays an indispensable role for Hegel, one that is too easily overlooked. He in fact calls the very movement of evaluation and revision a kind of experience, by which he has two things in mind. First, he thinks that running into contradictions is not merely something we do when we choose to contemplate our norms, but is rather something we are forced to confront experientially in our efforts to apply them. It is our experience of living in accordance with inadequate norms that provokes us to adopt a reflective attitude towards them.

Second, this experience is importantly a historical one, and the movement of critical revisions one we have already experientially undergone, although initially in a relatively obscure way. I think this sense of experience suggests most clearly that Hegel’s talk of a “test” must be misleading. He does not think we can formulate a set of formal criteria that can be applied independently of the real historical transformations of our past, because the inadequacies of a given framework are rarely visible at the outset. Such a test is only really effective when applied retrospectively to those configurations that have already accomplished the hard work of evaluating and revising their own criteria. Thus this test benefits from the long historical experience at its disposal, without which it would be highly limited, if not virtually useless. At the same time, immanent critique remains forward-looking, directed at problems of a particularly pernicious sort as they arise and invested in their overcoming, even if it has no way of testing proposed solutions in advance.

It bears emphasizing that we are not concerned with just any old experience, but that what the relevant experience must be an experience *of* contradiction. In the end I think it is this related notion of “practical contradiction” that is the distinguishing mark. Immanent critique is unlike all other forms of criticism, no matter whence they glean their standards of assessment, precisely because it remains anchored in practical contradictions and takes its cue from them. These contradictions provide it with both – an object to be criticized as well as a standard with which to do it. They moreover indicate the need for more substantial reassessment than the one internal criticism can offer. When I discover a real contradiction between norm and practice, I am confronted with the necessary relation between them and I learn that I cannot amend the one without the other.

Since the basic structure of a practical contradiction is best illustrated in the earliest sections of the *Phenomenology*, let us take a quick look at the first configuration, “Sense-Certainty.” Sense-certainty is for Hegel the most minimal conception of knowledge, for it claims that knowledge is nothing more than the immediate apprehension of what is, and that what is is itself something immediate – i.e. not mediated by relation to anything other than itself, including both the knower as well as other objects. So “immediacy” is its basic criterion, the measure it hopes to meet, its “knowledge-for-itself.” In order to assess this criterion, we need to examine its practical application, what would count as an instance of knowing by its own lights. Its actual instances of knowing are limited to the expressions “This”, “Here”, and “Now”, since any other expression would invoke concepts and so would violate both the immediacy of our apprehension as well as the immediacy of the object to be

apprehended. The one demand that Hegel does impose from outside, so to speak, is that we be able to articulate what it is that we know, and he takes for granted that we cannot be said to know what we cannot in principle say. It is at this point, when sense-certainty tries to put its knowledge into words, that it is compelled to contradict itself.

Without spending too much time on the detailed stages of its efforts, it will suffice to say that the expressions of knowledge available to sense-certainty – namely “This”, “Here”, and “Now” – prove to be highly general, indeterminate, and without content, in the absence of concepts. For example, there is no way for me to pick out a particular object, say, a framed painting, merely by means of the expression “This,” since “This” could equally well refer to the whole wall on which it hangs, or to the rural cottage it depicts. And employing more fine-grained ways of pointing, namely by differentiating the spatial “Here” from the temporal “Now,” leaves us no better off. So sense-certainty arrives at the very result it hoped to avoid. It hoped to yield a form of knowledge that has sacrificed nothing of, has not omitted anything from its object. It hoped to represent the object exactly as it is, in all its particular richness. But “this *certainty* in fact gives itself away as the most abstract and poorest *truth*” (PG §91), for what it is capable of representing is only an empty “This.”

Nonetheless, this failure has taught us something. We learn that, if we want to know particular objects, we have to conceive of them as possessing a more complex structure than Sense-Certain attributed to them. At the next stage this is interpreted to mean that we need to think of an object as that which underlies the sum total of its sensible qualities, qualities it might share with other objects. So in the transition from “Sense-Certainty” to “Perception,” we continue to be interested in a world of objects

standing over and above me. But we have come to recognize that an object cannot be thought of as a bare particular we passively apprehend, that we can know an object as the particular object it is only by relating it to other objects, and so only by employing concepts.

I hope that this gives us some idea of what it means to “compare consciousness to itself”, to compare an ideal criterion with its actual application. What becomes especially clear in sense-certainty, however, is not just the discrepancy between the two poles, but the inevitability of failure. Its proponents purported to have the richest knowledge, but they were called out as having the poorest – knowledge without any content whatsoever. The contrast between the ideal and the actual, or between norm and practice, could not be starker. But they failed through no fault of their own. It is not as if they were hypocritical in their avowals or sloppy in their applications. We now see that this criterion, with its entire corresponding conception of what it means to know, cannot be applied. It will produce its contrary every time, presenting us with the paradigmatic exemplar of a practical contradiction.

Now we hopefully also have a better idea of the kinds of revisions such a contradiction sets into motion. In the transition from “Sense-Certainty” to “Perception,” much remains in place. I still want to know something self-standing, and I take this to be a world that is independent of me and populated with particulars. So I have not faltered in my epistemic aspirations, though my criterion has in a sense changed. Although I remain committed to objectivity, I realize that it should not be conflated with “immediacy,” for it cannot reasonably require insulating an object from all relations altogether. I move forward with a more concrete criterion that I expect

will yield more determinate knowledge. Although this one too will generate a set of discrepancies of its own, it is nonetheless a step in the right direction.

Despite the clarity of these early sections, it is likewise important to note their limitations. These configurations are already highly theoretical. Even though Hegel characterizes sense-certainty as the standpoint of “natural consciousness,” he cannot mean that people ordinarily conceive of knowing in this way, that this is a starting point his readership shares. I think the main reason Hegel begins with this configuration is not because it is most common or pervasive or mundane, nor because it is the earliest in history, but precisely because it is the most minimal, primitive, and crude.¹³⁰ So its clarity is also its limitation, and it is not until the chapters in “Spirit” that Hegel turns to worldviews rich enough that they could have been espoused by actual societies. Thus it is also first in “Spirit” that we begin to see what it means to call immanent critique a lived experience, rather than a merely theoretical exercise we can choose to undertake.

III. Beautiful Ethical Life

I announced at the outset that my concern in this chapter is with critical reflection in modern ethical life and I alluded to some of the peculiar difficulties this context poses for Hegel. In short, modern ethical life is supposed to constitute a rational social order,

¹³⁰ For an explanation of why Hegel needs to begin in this way, namely, why the initial account of knowledge needs to also be the most minimal, given his epistemological aims, I recommend Rolf-Peter Horstmann’s “The *Phenomenology of Spirit* as a ‘transcendentalistic’ argument for a monistic ontology”. According to Horstmann’s reconstruction of the critical procedure, Hegel hopes to demonstrate the “primacy of the maximally complex over the elementary simples” by revealing that a more complex conception of both the subject and the object is already implicit even in the *most* simple. This would make the procedure transcendental in some sense, because it exposes the preconditions of even the simplest conceptions. But it would also make this procedure revisionary, for the simpler conceptions end up giving way to the increasingly complex.

whereas the configurations of “Spirit” that comprise the *Phenomenology* do not. So given that Hegel develops the model of immanent critique in order to explain the social changes that preceded us, it is not obvious that this model can be transposed to those changes that may lie ahead of us. But before we can address these potential disanalogies, we need to get a better sense of how immanent critique does work when it arises in actual societies, even in those that proved to be less rational than our own.

The next step will thus involve a detour via the Greeks, as Hegel describes and diagnoses them, in order to examine the emergence of critical reflection in their midst. To be sure, the Greek polis differs significantly from its modern successor, though this does not make it irrelevant for us. In fact one reason to look to the Greeks is in order to highlight the difference between an inadequately and an adequately rational social order. As we will see, this will amount to the difference between a society that is at bottom inhospitable to critical reflection and ill-equipped to cope with its effects, and a society (such as our own) in which critical reflection plays a constitutive role.

Thus in the following I will focus on the first configuration of spirit, which Hegel calls “Beautiful Ethical Life.” Although I suggested that configurations of spirit do not lend themselves to the same simple analysis, it is possible to extract some general criteria that Hegel takes to be definitive of beautiful ethical life. In a familiar vein, one could say that its participants identify “immediately” with their social order, though “immediacy” is understood somewhat differently here. It is no longer a matter of knowing a world of independent objects, but of “knowing” an objective social world, for it is this social world that I now take to be truly self-standing. But given that I likewise take part in this social world, my knowledge of it also supposed to yield self-

knowledge. In others words, I look to the world in order to find out how to behave, and my duties are prescribed to me by the role I occupy within it. So each individual has no trouble figuring out what to do in any given situation and she inhabits her role so seamlessly that she always performs her duty decisively, without any hesitation. The aim of action is to sustain the internal harmony of this order by fulfilling one's particular role, and action is guided by a knowledge that is immediate because it does not need to be acquired through any kind of reflection, including deliberation.¹³¹

This criterion for ethical knowledge has to be understood against the background of “social substance”¹³² that forms the context of its application. This substance is divided into two distinct spheres that are both equally essential to beautiful ethical life and so need to be able to coexist harmoniously without infringing on each other's terrain, if this order is to be maintained. Hegel identifies the two spheres as the family and the state, and he claims that each is governed by a different set of laws, the family by the divine law and the state by the human law. The human law, which Hegel also calls the “prevailing custom,” is publicly known and acknowledged. “Its truth is the validity that is open and in broad daylight” (PG §448). What this means is that

¹³¹ As we have seen in Chapter 1, not all of these criteria for ethical knowledge are themselves problematic and Hegel in fact reintroduces many of them in the *Philosophy of Right*, implying that decisiveness and lack of hesitation should be regarded as essential features of modern virtue as well.

¹³² I do not have sufficient space to elaborate this notion here, but I do want to point out that the presence of “substance” is a new element that sets configurations of spirit apart from those of mere consciousness. According to Hegel, substance is the social order that individual agents and knowers inhabit. Substance can on the one hand be distinguished from its individual members because it both precedes and outlives them, but on the other hand it is a work produced and sustained by their actions. In this context Hegel defines substance in the following terms: “the universal, self-identical, and abiding essence is the unmoved and solid *ground* and *starting-point* of action of all and their *purpose* and *goal*... This substance is in the same way the universal work, which produces itself through the action of all and each as their unity and sameness” (PG §439).

everyone knows not only the content of the law – which actions it commands – but also its origin, which is a human one. In short, the human law is one whose source of validation is not obscure because it is posited by human beings. The divine law, on the other hand, is also known immediately, but its origin is in a sense unknown, since it is authored by the gods. What this means is that, while its adherents know what it commands of them, they do not know why. This law is moreover timeless, unwritten, and infallible, and so remains off limits to human evaluation and revision.

Hegel stresses that neither law has a privileged status because each depends on the other. Moreover, the authority of each is derived from the underlying social substance, which in turn requires the jurisdiction of both for its own survival. But the fact that there are two competing sets of laws is not supposed to compromise the criterion of immediacy, for it cannot generate conflicts of duties within one individual, since no individual is ever subject to both laws. Everyone is assigned exclusively either to the family or to the state. One important aspect of beautiful ethical life is that social roles depend on the natural distinction between men and women. “Nature, not the accident of circumstances or of choice, assigns one sex to one, and the other sex to the other law” (PG §465). While women belong to the family and have the task of protecting divine law, men are participants in the state and so comply first and foremost with the dictates of human law. This is why there is never any question as to which social roles one is assigned, since assignment is based exclusively on biological facts about the individual. And since one’s sex determines whether one is a member of the state or of the family, no individual can belong to both spheres and so experience a conflict between the duties each prescribes.

Below I will follow Hegel's own narrative in order to trace the structure of his argument. So let me begin with Hegel's account of the family, to which he devotes considerable attention. Hegel calls the family a "natural community," by which he means more than merely that its members are connected by blood. He claims that the family must possess its own unique ethical function and that this function cannot lie exclusively either in childrearing or in the acquisition of wealth, since both of these activities point beyond the family toward public life. He concludes that what distinguishes the family from the state is its commemoration of the dead. Burial is for Hegel an ethical act because its aim is to preserve the social standing of a deceased family member in spite of her natural death. As Hegel puts it, "the blood-relationship thus supplements the abstract natural movement by adding the movement of consciousness, interrupting the work of nature, and rescuing the blood-relation from destruction" (PG §452). This gives us another sense in which the family stands in close relation to nature. Although its task is primarily to "interrupt the work of nature", this in turn gives ethical significance to something natural about us – our mortality.

But there is a sense in which the state's unique ethical function, which Hegel identifies as war, can also be described as an effort to "interrupt the work of nature." First, war prevents individuals from lapsing into their natural state of self-seeking drives, appetites, and desires by pushing them to orient their activities towards public ends. Second, Hegel argues that there is a particular value in putting one's own life at risk.¹³³ The warrior is forced to assert his own independence from life and so prove

¹³³ As Hegel states in an earlier section of the *Phenomenology*, "It is only through staking one's life that freedom is preserved... The individual who has not risked his life may well be recognized as a *person*; but he has not attained to the truth of this recognition as an independent self-consciousness" (PG §187). This moment of risk serves to draw a dividing line between freedom and life and demonstrating that the ends of freedom are

that he is not merely a living creature and natural organism. Those who survive the battle are awarded the honor of becoming citizens with a publicly acknowledged standing. Unfortunately women cannot achieve this recognition in public life, since their “destiny lies in the home.” So it must be possible for them to become recognized as participants in ethical life within the constraints of the familial structure.

Although this premise is never explicitly stated, Hegel seems to hold that such recognition is essential to any form of ethical agency, including those available to women within this world, for without it one remains a merely natural creature without any duties at all. In order for women to be able to regard themselves as subject to the divine law, their self-conception must be confirmed through recognition by another. But most familial relations prove to be inadequate in this regard. That between husband and wife is too wedded to feeling, desire, and procreation, and so to nature. And that between parent and child is a relation among vast unequals. So the only remaining candidate is the relationship between brother and sister, because such a bond, albeit natural in a sense, remains free from the intrusion of sexual desire. As Hegel puts it, brother and sister “are the same blood which has, however, in them come to its rest and equilibrium... they are free individualities toward each other” (PG §457). And yet a sister’s role is still significantly different from that of her brother. Brothers leave home, go to war, and participate in political life, while sisters become the principal guardians of the divine law.

my true priority, even if in the end I can only be free so long as I am alive. But Hegel also offers another argument, namely, that it is the confrontation with death that reveals to us our essential indeterminacy and capacity for abstraction. This is what the slave learns as he trembles before the “absolute lord.” In this context it is worth noting that, despite this formative experience of confronting death, the slave ultimately demonstrates that he priorities life *over* freedom, and not the other way around.

It is at this point probably clear that Hegel is setting the stage for his reading of Sophocles' *Antigone*, which comprises the kernel of his argument in this chapter, since this tragedy explicitly thematizes this filial relationship. But Hegel also turns to it because it focuses on a conflict between two individuals who embody the two central spheres of beautiful ethical life. Antigone is a woman who disobeys Creon's edict that her brother Polyneices remain unburied because he died in an effort to overthrow the throne. At night she attempts to bury Polyneices, though fully aware that this deed is punishable by death. From the perspective of the state, which Creon as king represents, Polyneices was a rebel who acted out of self-interest and so must be denied this "last honor," which in turn makes Antigone's act likewise one of rebellion. But from the perspective of the family, the state is only permitted to punish the living. The dead properly belong to the family and so must be returned to it. In leaving the corpse in broad daylight, Creon has violated the divine law, which commands that the deceased be buried by his relatives.¹³⁴

Prior to this collision between the family and the state – personified in Antigone and Creon – this social order encountered no problems that it could not settle by appeal to justice, a function of the human law intended to restore social equilibrium.

¹³⁴ There is some textual evidence in support of Hegel's reading. For example, Sophocles' version stresses this conflict between two sets of laws and the ensuing disagreement about their rightful jurisdiction. As the chorus leader reassures Creon, "Law and custom, as I see it, are totally at your disposal to apply both to the dead and to us survivors" (250:1–3). But when Creon asks Antigone why she dared to break this law, she gives a reply that Hegel loves to quote: "Yes, because I did not believe that Zeus was the one who had proclaimed it; neither did Justice, or the gods of the dead whom Justice lives among. The laws they have made for men are well marked out. I didn't suppose your decree had strength enough, or you, who are human, to violate the lawful traditions the gods have not written merely, but made infallible. These laws are not for now or for yesterday, they are alive forever; and no one knows when they were shown to us first" (550:1–12). Hegel alludes to Antigone's speech in the *Philosophy of Right* when he describes the laws in the objective sphere of ethical life (see §144A) as equally eternal.

This is why Hegel calls it “beautiful” ethical life. He writes, “This ethical realm is in this way in its enduring existence a world that is immaculate, not sullied by any antagonism” (PG §463). But the conflict we see in *Antigone* cannot be settled in this way because both sides have committed a crime and so neither is in a position to arbitrate justice. Moreover, Hegel thinks that these crimes could not have been avoided and so have little to do with Antigone and Creon as individuals, or with the specific circumstances in which they found themselves. What their actions reveal is that, within this form of ethical life, every ostensibly dutiful action carries the prospect of guilt, for it could very well turn out to be a crime, no matter how dutiful it may seem. As Hegel puts it, “Innocent is therefore only non-action, like the being of a stone, not even that of a child” (PR §468).

This is a strong claim, but it is not as crazy as it may sound. Hegel argues that, as long as one refrains from acting, it is possible to feel certain of what duty demands and to remain committed to one law at the exclusion of the other. But as soon as one acts out of this “simple certainty of immediate truth” (PG §468), one enters a social space that is far more complex than one’s own attitude reflects. Since each agent acknowledges only one law, she is merely lucky if she avoids transgressing the provisions of the other. What Antigone reveals is that it is only a matter of time before our well-intentioned deeds make us guilty of a crime. So every particular action is at least vulnerable to the threat of violation.

The conflict that emerges between the two sides of beautiful ethical life is irresolvable and so initiates its downfall. We already witness a certain level of destruction within the play itself, since the whole family perishes as a consequence of

Creon and Antigone's misdeeds. But Hegel thinks this particular conflict is merely a harbinger foreshadowing the death of the entire Greek configuration because it exposes ineradicable inadequacies within it. At the beginning of this chapter Hegel announces that Beautiful Ethical Life will come to exhibit two kinds of internal contradictions, for it is divided not only into two sets of laws, but also into two types of self-consciousness, each one aligned with only one law. "Thus [self-consciousness] experiences [*erfährt*] in its deed both the contradiction of those powers, into which substance divides itself, and their mutual destruction, as well as the contradiction between its knowledge of the ethical nature of its action and that which is ethical in and for itself, and so finds its own downfall" (PG §445). Although he calls both contradictions, only one of them is ultimately responsible for this downfall. The first contradiction that emerges between the two powers or sources of authority does not yet disclose that there is anything inherently wrong with this evaluative framework. Perhaps it is misleading even to call this a contradiction. So the relevant contradiction is rather one between a certain conception of ethical knowledge and the only possible actualization of this knowledge, which turns out to be an essentially *criminal* action.

Let us take a closer look at Hegel's diagnosis. What, according to Hegel, makes this attitude deficient and incapable of enduring conflicts like that between Antigone and Creon? At the end of the chapter he writes, "This downfall of ethical substance and its passage into another configuration is thus determined by the fact that the ethical consciousness is oriented toward the law in a way that is essentially *immediate*" (PG §476). What Hegel has in mind is that single-mindedness prevents such an agent from performing the act of abstraction, namely, from stepping back from one law and

evaluating his or her action from the perspective of the other. Antigone was exclusively a sister and thus unable even to entertain Creon's point of view, and Creon was in turn unequipped to take Antigone's standpoint into consideration. This incapacity accounts for their subsequent failure to see that the other's action accords with norms that are equally essential to the social order they share. While this ability to abstract may not have been sufficient for resolving this particular conflict, Hegel suggests that it is revealed to be a necessary condition for sustaining a common culture in the face of ethical conflicts that will inevitably erupt in a society that exhibits even a minimal degree of pluralism, as beautiful ethical life clearly does.

While it is right to conclude that the exclusivity of commitment is at fault, Hegel thinks there is an even deeper contradiction at the core of this self-understanding that such conflicts bring to the surface. Antigone may think of her identity as exhausted by her familial roles, but Hegel argues that she is unknowingly committed to the human law as well. Though her action is a violation of the human law, it likewise reveals that she is not only a sister, but also a member of a broader society that includes the human law as a legitimate and essential source of authority. Hegel's point is not simply that the other law is equally legitimate and essential, but that neither law is self-sufficient and that each needs the other for its authority. The divine law needs the state for its public actualization, just as "the publicly manifest spirit has the root of its power in the underworld" (PG §474).¹³⁵ Because the two laws are ultimately co-dependent,

¹³⁵ This is an obscure moment in Hegel's argument, but I think we can make some sense of it. It is perhaps easier to see why the gods would require the state in order to actualize their aims, since they do not otherwise have a public presence. Hegel calls them a "bloodless shade." So when Creon violated their law, they needed the assistance of other states surrounding Athens in order to avenge the wrong committed against them. Beckoned by the gods, these other states "rise up in hostility and destroy the community which has dishonored and shattered its own power, the sacred claims of the family" (PG §474). This in turn gives us

Antigone cannot be committed to the one without thereby committing to the other, which in turn compromises the simplicity of her self-conception. In Hegel's words, "In the *deed* [the two powers] are as a self, but a diverse self, which contradicts the unity of the self and constitutes its unrighteousness and necessary downfall" (PG §472). So Antigone is in a sense in contradiction with *herself*, even if not with her explicit self-conception, rather than being simply in contradiction with her deed as it is interpreted by the world she inhabits. And since "neither power has any advantage over the other that would make it a more essential moment of the substance" (PG §472), the same can be said of Creon as well.

What we learn from Hegel's discussion of *Antigone* is what it means for a society to undergo immanent critique. The society in question invoked a standard of "immediacy" in knowledge – namely, an immediate grasp of objectively binding norms – which it had to meet if it was to count as ethical by its own lights. But in its effort to adhere to its standard, it discovers that upholding it produces unethical actions, actions which are inevitable crimes committed against the social order as a whole. Even though such a society requires that the attitude of agents be undivided, its social structure is divided into what look like relatively autonomous spheres, even though they turn out to be significantly interdependent. According to Hegel, problems erupt when agents try to act out their uniform convictions within this complex structure. Although it may initially appear as if it were possible to avoid interfering in each other's domains of governance, Hegel suggests that they will eventually encounter a situation in which

some insight into the dependence of the state on the divine law. Since the divine law in a sense more universal, a law that holds for other communities as well, any particular state needs to respect it in order to maintain its harmony with the other states surrounding it.

both laws have a stake and discover that they lack the resources they need to assess the two competing claims. When such a situation arises, it becomes clear the actions that express an “immediate” attitude are in principle divisive because they oppose the integrity of the whole. Moreover, it becomes clear that this attitude could never have been truly “immediate” in the first place, for it always already incorporates an unacknowledged commitment to the opposing law.

Since we moderns do not share this insistence on “immediacy,” it is not immediately clear how the experience of beautiful ethical life is supposed to bear on our own. Here it is worth recalling that this difference is in part what makes the Greeks so relevant. Above I characterized it as a difference between a society that is inhospitable to critical reflection and one to which such reflection is constitutive. We can now see that the fatal flaw of beautiful ethical life was nothing other than its incapacity to integrate critical reflection. It held fast to “immediacy” to such an extent that critical reflection could only appear as an interruption and intrusion, even when it was beckoned by contradictions that were fully its own. Here immanent critique had to adopt a radical form, for it could not resolve the central contradiction without thereby undercutting this society’s basic self-conception, without overthrowing the value it prized the most. Hegel thinks that this is not so for us.

IV. Modern Contradictions

Although we moderns are accustomed to reflecting critically, it is not clear that the forms of criticism available to us count as immanent critique of the sort we have previously explored. To be sure, immanent critique is at work throughout the

Phenomenology, including later configurations of spirit, but it is notably absent from the *Philosophy of Right*. And to many this looks like no omission. They would grant that Hegel is no apologist for the status quo, and that he does leave room for criticizing existing institutions when they betray their ideals. But given that modern ethical life for Hegel is rational in its normative foundations, all that remains to be done is to engage in what I earlier described as “internal criticism” and demand that our practices accord more closely with our norms.¹³⁶ This does not mean that we cannot also evaluate these norms themselves, as an extra-curricular activity of sorts. All we would discover, however, is that they are in order and that we know what freedom would require even when we do not manage to live free lives. So the exercise of reflection, albeit not forbidden in modern ethical life, could at most yield approval of it, one to which Hegel himself arrives.

Now, I think that it is easy to overstate Hegel’s theoretical ambitions, for in deeming modern ethical life rational, he never implies that we could rule out contradictions once and for all and guarantee that they will not surface at a later point in our own historical development. This means that any justification he can give of modern ethical life is and remains provisional. His full argument for this, to which I will return in the next and last chapter, relies on his conception of philosophical method and its continued dependence on “experience” in the same way as we have seen in the *Phenomenology*. But Hegel also offers a different basis for his confidence in the resilience of modern ethical life, for he thinks that whatever problems have

¹³⁶ This is seemingly Hardimon’s proposal for a “philosophically informed” criticism of the social world. (1994, p. 29).

emerged and continue to emerge do not necessitate a revolutionary transformation of its basic framework. In other words, he deems it sufficiently flexible to accommodate revisions without issuing in whole-scale paradigm shifts. And part of what makes it so flexible is its high estimation of critical reflection. If it proved to be inimical to critical reflection and unequipped to cope with the challenges it presents, that is when it would fail thoroughly by its own lights. One could say that modern ethical is less fragile or brittle than its Ancient counterpart, not necessarily because its social practices are guaranteed to stand the test of time, but because it has dispensed with the standard of immediacy. This means that there is a sense in which a radical form of critique is no longer possible for us, simply because it is no longer necessary for us.

In spite of his confidence, however, Hegel does not seem to consider modern ethical life to be immune to problems altogether, problems that may even compromise its rationality to a lesser or greater degree. On one level it is true that the chapter on “Ethical Life” in the *Philosophy of Right* presents a vision of a successful social order, but even in this vision it is not all that successful. This is most vivid in his section on “Civil Society,” in which Hegel admits that among a string of more or less worrisome repercussions, the rise of poverty is a direct consequence of the modern market – and not merely a contingent one either. According to Hegel, poverty is produced by the “inner dialectic of civil society.” As he puts it, “It comes therein to the forefront that despite the *excess of wealth* civil society is *not rich enough*, i.e. it does not possess enough of its own resources to check the excess of poverty and the creation of a rabble” (PR §245). Stated in such terms, it sounds like a serious challenge to the justifiability of this institution.

I admit that this might initially appear to be a far-fetched diagnosis of a rather ubiquitous phenomenon. Since poverty is certainly not limited to the modern world, it is perhaps difficult to accept that civil society should be to blame for it. But Hegel's more compelling point is that under these modern conditions poverty assumes a new form, appearing as the "rabble." The rabble for Hegel comprises a class of those who, by losing their employment, recede entirely from social participation. Such a class is a uniquely modern phenomenon because of the status that civil society adopts. With the introduction of an autonomous market, the economic function of the family (as well as that of the state) diminishes, and so there is no longer a safety net for those who fall upon difficult times.¹³⁷ This is at least one explanation we can give for the necessity of poverty in civil society, though I suspect that Hegel wants to say something even stronger. In tracing it back to civil society's "inner dialectic", it sounds as if he wants to say that poverty itself rises as a consequence of the market, and not simply that the market makes poverty more difficult to bear.

Even if we accept this diagnosis in its stronger form, it is not obvious what conclusion we are to draw from it. Hegel himself remains remarkably reticent. Since he mentions the problem of poverty only towards the end, he avoids confronting the challenge it presents and determining the extent to which it might threaten his previous account. He moreover never goes so far as to call it a contradiction, which would

¹³⁷ See for example PR §238: "Initially, the family is the substantial whole whose task it is to provide for this particular aspect of the individual, both by giving him the means and skills he requires in order to earn his living from the universal resources, and by supplying his livelihood and maintenance in the event of his incapacity to look after himself. But civil society tears the individual away from family ties, alienated the members of the family from one another, and recognizes them as self-sufficient persons... Thus the individual becomes a *son of civil society*, which has as many claims upon him as he has rights in relation to it".

imply that poverty compromises the rationality of civil society as a whole. Despite his caution on this point, I think his acknowledgment that poverty is a structural feature of civil society indicates a certain foresight on Hegel's part, a foresight that implicitly concedes the prospect of institutional change.¹³⁸ At the same time, I think Hegel had good grounds for calling it a contradiction, rather than regarding poverty as being merely an unsavory side effect at the periphery of civil society, because it exposes an inconsistency at its basis.

It seems to me that the phenomenon of poverty does reveal that civil society cannot live up to its own standards. According to its self-understanding, unhindered individualism is worth indulging because it inadvertently benefits everyone. Such a tenet is crucial to this institution because it is mirrored in the attitudes of its participants. So long as they believe it, they can continue to regard their own participation in civil society as justified, and so as free. Hegel calls the principle in need of justification the “principle of particularity” to pursue one's individual interests, wants, and desires, and he claims that this principle must become a right with its own sanctioned social space. At the same time, it can only become a right if it is “constricted by the power of universality” (PR §185), namely, if it is proven capable of being accorded to every other participant as well. Otherwise self-interest would turn self-destructive.

This right of particularity depends on the right of universality in at least two respects. First, particularity requires universality as its means, for even the pursuit of

¹³⁸ Marx thinks through the implications of Hegel's account of civil society more generally, but it is striking that he does not explicitly take up Hegel's discussion of the “rabble.” For a helpful discussion of the connection between Marx and Hegel on this front, see Yitzhak Melamed (2001), 33 – 36.

my particular ends can only succeed if I take those of others into consideration and coordinate my endeavors around theirs. Second, particularity also requires universality as its final end, namely by contributing to the satisfaction of the particular ends of others. In this way actions that are selfishly motivated create something of objective value, what Hegel calls the “universal permanent capital,” “which contains for each the opportunity to take part in it by the exercise of his education and skill in order to be guaranteed his livelihood – while what he thus earns by means of his work maintains and increases the general capital” (PR §199). This universal permanent capital is the common good that in turn redeems our selfishly motivated actions in our own eyes.

This is at least how civil society is, according to its own self-understanding, supposed to operate – a self-understanding articulated in the tradition of political economy and captured most memorably in Adam Smith’s metaphor of the “invisible hand.” In Hegel’s rendition, the story is one in which “each man in earning, producing, and enjoying on his own account is *eo ipso* producing and earning for the enjoyment of everyone else” (PR §199). But heeding this principle proves to have an unanticipated consequence. Although such a system may improve the material conditions for a certain class of individuals, it at the same time relegates many others to conditions of utter destitution. So civil society is in fact not capable of providing benefits for all. The issue is not just that it cannot guarantee the livelihood, let alone improve the standard of living of every individual. What is far worse is that it ends up harming the social order at large, because the rabble it creates becomes unfit to participate in any of

its other institutions, especially the state.¹³⁹ In short, civil society produces a constituency that has no stake in the survival of this order and may even come to wish for its demise.¹⁴⁰

Much like those we find in the *Phenomenology of Spirit*, this type of contradiction is not a logical or formal one, but takes a distinctly practical form. There I characterized the relevant contradiction as an ineradicable discrepancy between norm (knowledge-for-itself) and practice (knowledge-in-itself), but here we seem to be dealing with a slightly more complex set of conflicting elements. One could say that the contradiction is in a sense between two norms – the principle of particularity and that of universality – rather than simply between a norm and its practice. What makes such a contradiction nonetheless practical is that we discover through experience that we are unable to do full justice to both norms without violating either one or the other, and in this way introducing objective problems for ourselves. Another way to put it is to say that upholding both to the fullest extent proves to be *unsustainable*.

I am aware that it has become increasingly popular to associate failures in forms of life with the notion of “unsustainability,”¹⁴¹ and I admit that there might be some dangers in identifying them too closely. One reason to reject such language is that it

¹³⁹ According to Hegel, “When a large mass falls below the standard of a certain subsistence level...and when there is thus a loss of a sense of right, of righteousness, and of the honor of maintaining oneself through one’s own activity and work, this brings about the creation of a rabble” (PR §244).

¹⁴⁰ This is especially clear in the Addition to §244, in which Hegel defines the rabble in terms of its socially destructive frame of mind: “Poverty in itself does not reduce people to a rabble; a rabble is created only by the disposition associated with poverty, by inward rebellion against the rich, against society, the government, etc.”

¹⁴¹ In his most recent book, *Hegel’s Naturalism*, Terry Pinkard speaks of alienation in terms of “uninhabitability,” which seems to me to be more or less the same idea.

sounds too ecological, as if the issue were primarily an exhaustion of material resources, which is not always the case. Hegel does say that civil society is not “rich enough” to check the excess of poverty, but I take this to be a metaphorical allusion to the dearth of its normative resources, its inability to overcome this contradiction without sacrificing either the right of particularity or that of universality for the other. Another reason might be the indeterminacy of this notion of unsustainability. The worry is that it lacks a criterion of application and so cannot adequately distinguish between what merely seems unsustainable and what is truly so. For example, some men might not feel at home in feminist familial arrangements, might even claim that they find them inhospitable, without thereby indicating that such arrangements are in any way unfree. Or vice versa, some women may feel perfectly at home in the midst of a patriarchal family structure. But all this seems to show is that we need a more determinate notion of unsustainability, one that does not hinge on subjective feeling alone. Once it is objectively circumscribed, I think this notion can tell us something about the nature of contradictions, namely that these are bound to find a practical expression. Moreover, this way of speaking remains true to Hegel’s spirit, for Hegel is explicitly concerned with the livability of forms of social life, with their longevity and capacity for regeneration.¹⁴²

Most importantly, this move can shed significant light on the space left open to critical reflection. It implies, first of all, that it is often not easy to see that two principles are incompatible until we try to live by them. Although we may

¹⁴²Recall the passage from the “Preface” of the *Philosophy of Right* in which Hegel speaks of shapes of life having “grown old” and immune to (philosophical) “rejuvenation.”

retrospectively think that their incompatibility should have been obvious from the start, we now know this only because we tried it out and discovered that it cannot work. To return to our example, it is the phenomenon of poverty that brings to light the irresolvable tension between the principle of particularity and that of universality, at least within their capitalist interpretation. If we merely contemplate the theoretical foundations of the market economy in abstraction from real economic practices, we may never come to suspect that there is anything wrong with its mode of self-justification and that there is no “invisible hand” ensuring the common good. This goes some way toward explaining why the political economists writing before Hegel’s time, and so before the actual emergence of a rabble, lacked his foresight. And it also goes some way toward explaining why it is the further unfolding of capitalism and industrialization that enabled Marx to see Hegel’s short-sightedness in turn.

A further implication is not only that we discover such contradictions, should we choose to contemplate our norms, but that we cannot avoid discovering them. This is a crucial aspect of what it means to call a normative commitment unsustainable, and one that is rarely emphasized. To put this slightly differently, if certain practices of ours are unethical through and through, rather than contingently flawed or defective, this will manifest itself in undeniable ways by generating the kinds of problems that systematically thwart our efforts to inhabit them. We can think of these problems as “crises” of varying depth and scope. And in moments of crisis, it is not reflection that first brings contradictions to light. Rather, it is contradictions that initiate reflection, for it is in the face of them that we find ourselves pressed to reevaluate the conflicting norms. Critical reflection, in short, is a response to the unsustainability of a

contradictory way of life, and thus beckoned by our very inability to live it out. This is also clear in the crisis that emergence of the rabble at least threatens to provoke, for what emerges is a class of “criminals” who do not even recognize the very laws according to which they are to be punished. And in a sense they are right to reject their authority, since these laws protect only their formal rights, but fail to guarantee anything like genuine freedom.

It might be instructive to look at some examples that Hegel did not himself consider, such as the critique of racial segregation in the early days of the civil rights movement. At that time segregation was publicly justified in terms of the notorious doctrine of “separate but equal,”¹⁴³ which roughly implies that having two sets of institutions separated along racial lines does not violate the equal status of each American citizen because both sets can in principle be equally good. While it does not assume that they are equally good, nor does it offer a positive reason in favor of segregation, this doctrine is meant to vindicate certain social practices by showing them to cohere with our deeper commitment to equality. It was after decades of actual segregation that this vindication came to look *conceptually* incoherent. The Supreme Court ruling in *Brown v. Board of Education* points this out in striking terms, for it states that “in the field of public education, the doctrine of ‘separate but equal’ has no place. Separate educational facilities are inherently unequal.” We can make better sense of this realization, I think, if we look to the role that the experience of segregation came to play. It is precisely this experience of consistently and vastly

¹⁴³ This phrase was officially established in the Supreme Court ruling “*Plessy v. Ferguson*”.

unequal facilities that demonstrated the incoherence of the doctrine, proving that separate is in fact *inherently* unequal.

The official argument seems to be a consequentialist one, namely, that racial segregation harms Black children because they are being educated in a context in which they are made to feel inferior on the basis of their race. This has detrimental effects on their academic performance, thus preventing them from achieving equal results as their white peers, even if both sets of educational institutions were to have the equal material resources. The problem with this argument is that, stated in purely consequentialist terms, it seems to be an empirical thesis, one that counter-evidence could in principle challenge. But I think that closer examination reveals that the plausibility of this argument rests on a deeper claim about the nature of segregation, namely, that segregation along racial lines is always motivated by an implicit racist assumption about the superiority of one race over another. This means that segregation could never achieve equality because it presupposes inequality.

An even clearer example is perhaps that of slavery, since we do not think that its legitimacy as a practice depends on consequentialist considerations in the first place. Even if it turns out that slavery proves beneficial to, say, the material wellbeing of slaves, we would still deem it unethical. And this is not only our current perspective on the practices, for even those who practiced it seemed to want to justify what they did in principled terms, for they denied that slaves were members of the same “moral community” as masters. At the same time, it was precisely this very same evaluative framework that was being invoked by abolitionists to criticize this institution. This moral community was being demarcated in religious and political terms that looked to

be at odds with the very distinction between slaves and nonslaves. Christianity, for one, espoused universalist values about the irreducible and equal moral status of each human being in the eyes of God. But even political values, such as those expressed in the Declaration of Independence, provide us with a different set of immanent resources on which to draw in criticizing the practice of slavery.¹⁴⁴

As I already mentioned, it looks as if Hegel held slavery to involve a rather explicit practical contradiction, because it took for granted a conception of freedom on the part of the master that it could not in principle deliver. But even if we look at slavery in a richer historical context such as the American one, it looks as if its practices fell into equally unavoidable forms of contradictoriness. This incoherence is perhaps best expressed by Frederick Douglass, who pointed out that there is no need to argue that slaves are human beings, since those who own them already implicitly admit their humanity.

Must I undertake to prove that the slave is a man? That point is conceded already. Nobody doubts it. The slaveholders themselves acknowledge it in the enactment of laws for their government. They acknowledge it when they punish disobedience on the part of the slave. There are seventy-two crimes in the State of Virginia, which, if committed by a black man, (no matter how ignorant he be), subject him to the punishment of death; while only two of the same crimes will subject a white man to the like punishment. What is this but the acknowledgment that the slave is a moral, intellectual, and responsible being? The manhood of the slave is conceded. It is admitted in the fact that Southern statute books are covered with enactments forbidding, under severe fines and penalties, the teaching of the slave to read or to write. When you can point to any such laws, with reference to the beasts of the field, then I may consent to argue the manhood of the slave.¹⁴⁵

¹⁴⁴ For an interesting discussion of the role of such internal criticisms in the context of American slavery, see Cohen, "The Arc of the Moral Universe". Cohen's concern here is with "moral explanations," namely, with explaining the demise of a certain practice by invoking its immorality or injustice. But ultimately Cohen denies that internal criticism can go far enough in identifying what is wrong with a practice like slavery.

¹⁴⁵ Douglass, "What to the Slave is the Fourth of July?", 7.

And if no one denies the humanity of a slave, then no one can consistently deny a slave an equal moral status.¹⁴⁶

What these examples of practical contradictions indicate is the self-sufficiency of immanent critique, that modern ethical life already contains everything we need to discover its shortcomings. But even if we concede this point, overcoming such shortcomings can seem like a separate task altogether. So one could accept that immanent critique so understood suffices for exposing what needs to be revised, while still doubting whether it likewise suffices for guiding subsequent revisions and ensuring that they are conducted in a rational manner, rather than arbitrary and haphazard one. This is sometimes cited as a reason why ordinary reflective practices need to be supplemented by a critical *theory* that steers them in the right way.¹⁴⁷ Either way, I think it is important that we not draw too sharp a wedge between the diagnostic and the reformative aspects of critique and try to keep in mind that for Hegel encountering problems is never a discovery only of what *not* to do, of how *not* to live. The very notion of “determinate negation,” which refers to the transformative moment in immanent critique, is meant to connote the positive content criticism itself introduces.

¹⁴⁶ I should note that, unlike Hegel’s diagnosis, which is meant to challenge the conception of freedom underlying slavery, Douglass’ diagnosis looks more like a form of internal criticism rather than immanent critique in the strict sense. For Douglass does not intend to challenge the relevant account of humanity, only to show that it needs to be *applied* in a more consistent manner.

¹⁴⁷ This seems to be one of the issues at stake in the debate between Axel Honneth and Michael Walzer regarding the relationship between theory and critique. While Michael Walzer insists that all critique requires are virtues like “courage, compassion, and a good eye,” Axel Honneth contends that these are not enough. See for example Walzer (2009). Although I lean more in the direction of Walzer’s position, I want to remain agnostic on the question of whether theoretical resources may be needed to adequately analyze and perhaps even resolve the kinds of contradictions that first provoke critical reflection. All I want to argue here is that critical reflection should not be modeled on the activity of normative theorizing – whether of the kind Hegel rejects, or that which he himself espouses.

In other words, our failures already point beyond themselves and indicate how to revise our principles in a way that incorporates these critical lessons. Even though such revisions may beset by problems of their own, Hegel is nevertheless committed to regarding them as improvements, and to regarding the very movement of immanent critique as an “educative” process in which we learn more and more about what *to do* and how *to live*.¹⁴⁸

Of course, it is one thing to illustrate the progressive dimension of this revisionary process in the context of the *Phenomenology*, which reconstructs revisions that have already been made and are now behind us. Obviously the *Phenomenology* benefits from its retrospective standpoint. In cases like that of the capitalist market, however, figuring out how to resolve the relevant contradiction is more difficult and can involve false starts. Hegel himself did not exactly rise to the challenge, for the solutions he entertains (and for the most part abandons) are meant to leave civil society and its mode of self-justification intact.¹⁴⁹ This is clearly unsatisfactory even by his own lights, for once we learn that the single-minded pursuit of self-interest conflicts not only with its own espoused justification, but with the survival of the whole social order, it becomes clear that the very principles at work in civil society are in need of serious reconsideration.

¹⁴⁸ Hegel’s term for this learning process that unfolds in the *Phenomenology* is *Bildung*.

¹⁴⁹ These proposals include charity, taxation, and public works, all of which Hegel ultimately rejects as suitable solutions to the problem. But to be fair, Hegel does follow up his discussion of poverty with some amendments intended to introduce regulations into the free market. For example, he seems to introduce corporations, which are something like unions, in part as a measure against poverty. But as promising as this proposal may otherwise be, I do not see how it is supposed to provide comfort to the rabble, whose members have no professional identities to start.

But however serious the needed reconsideration might be, Hegel remains convinced that it will not require that we give up on individual freedom of the sort the market sanctions. Hegel, unlike Marx, is unwilling to dispense with the principle of particularity altogether, no matter how precarious and hazardous it proves to be. In addition to his more systematic reasons for this, he thinks that the cost of doing so would be too high. At the same time, I do not think that he can rule out – at least on any principled grounds – radical changes in our understanding of freedom, including freedom of the individual kind. He simply does not believe that we have so far encountered good grounds for doing so. Poverty is, after all, only a bi-product of particularity, and not a whole-scale inversion of its basic aspiration. To be more precise, it is not as if *every* self-interested act results in poverty and so ends up with the exact opposite of what it hoped to achieve. In this respect, this modern contradiction does differ from that of sense-certainty, and even of beautiful ethical life. And Hegel seems to trust that all modern contradictions will follow suit. They may be far from innocuous and might cause problems, perhaps even crises that destabilize our institutions, but they are unlikely to demonstrate that the various principles these institutions are meant to realize can only ever shape unfree lives.

More recently there has emerged another model of reflective criticism that curiously resembles immanent critique, though to call it a “model” is a bit exaggerated. What I have in mind is John McDowell’s recurring metaphor of Neurath’s ship. McDowell invokes it in order to stress that we are very well able to criticize our ethical standards from a standpoint inside those same standards. In his words, “the key point is that for such reflective criticism, the appropriate image is Neurath’s, in which a sailor

overhauls his ship while it is afloat”¹⁵⁰. But as “immanent” as this form of criticism may appear, I worry that it is ultimately much narrower than the one we have been elaborating. Though of course it is only a metaphor, it threatens to make normative change seem like an essentially piecemeal endeavor – plank by plank, so to speak – and in this way obscure the extent to which a society’s most fundamental principle, and consequently its entire “scheme of values,” could come to be called into question and prove to be in need of an overhaul.

In fact we witness many such overhauls in the *Phenomenology*. As Hegel puts it in its “Preface,” “the life of spirit is not the life that shrinks from death and keeps itself untouched by devastation, but rather the life that endures it and maintains itself in it. It wins its truth only when, in absolute dismemberment, it finds itself” (PG §32). If spirit is not to shrink from death, it cannot become too attached to the planks beneath its feet, but must be prepared to tear the ship apart and tumble into the sea. This is what happened to many of our predecessors, most vividly to the participants of beautiful ethical life. The lesson they impart is that there are certain contexts in which ethical failures run too deep to make piecemeal revision fruitful. In such contexts, social criticism must be of a *radical* sort, even when it voices its grievances from an embedded perspective.¹⁵¹ The strength of immanent critique is that it can accommodate this lesson because it can admit variations in degree and range from preservationist to revolutionary, which are for Hegel anyway extreme ends on a shared spectrum. What

¹⁵⁰ McDowell (1996), 81.

¹⁵¹ Perhaps it would be more accurate to say that the radical change happens at the institutional level, and at the level of their corresponding principles.

constitutes their continuity, however, is that we always continue to be committed to freedom, even when we alter our understanding of it in fundamental ways.

At the same time, I think this comparison to Neurath is not wholly misguided. One could say that we moderns in particular have much in common with the sailors on his ship, never overhauling our social world at one fell swoop, but repairing it one plank at a time. As long as we remain oriented toward practical contradictions, our activity still counts as an exercise of immanent critique, even if it does not call for radical revisions. In fact Neurath's ship is in a certain respect an especially apt metaphor for critical reflection in the modern social order, and not just because the problems we face are not so severe that they cannot be solved through gradual reform. What it highlights is the peculiar structure of this order, which is no longer reliant upon one foundational norm, but incorporates and negotiates a variety of conceptions of freedom whose relationship to each other remains an open question. But if we had to pick one value that we moderns prize above all else, it would probably be nothing other than critical reflection itself.

V. Criticism

There are various objections one could raise against the picture I have sketched on Hegel's behalf. For example, one could question whether it is really true that the kinds of problems that surface in modern ethical life, including poverty, do not call for a more radical reevaluation of our most basic values, say, of the value we accord to individual freedom. Some may want to deny this, if for no other reason than the sheer fact that our social world is already quite different from the one Hegel deemed so stable

in the *Philosophy of Right*. One could also question whether we have good reasons to believe that the revisions available to an immanent critic will be sufficiently rational, rather than a blind groping in the dark. For example, when faced with two conflicting principles, like that of particularity and that of universality, can Hegel tell us how to adjudicate between them, how to decide which one to restrict or alter, and in what way?

While I grant that these are all legitimate concerns, I want to focus instead on a third source of worry. Throughout this chapter I have stressed that we need not actively hunt for objects of criticism – that we should in fact refrain from doing so – for should there be something wrong with our social practices, this will reveal itself to us in the form of practical contradictions. In other words, I have claimed that critical reflection needs to be immanently motivated, called for by the emergence of actual, and not merely possible, problems. And as I already indicated, I take this to be a significant aspect of what it means to call the relevant form of critique “immanent.” It is not only that standards of assessment are taken from the object to be assessed, but also that the adoption of a critical attitude is provoked by objective problems that arise in the midst of a social order.

Now, it seems like we can accept this restriction on critique only if we also accept a distinctly Hegelian brand of optimism, a conviction that the unethical is uninhabitable or unlivable – in short, unsustainable. And Hegel does seem to hold something like the view that an unethical practice will sooner or later reveal itself as such to its participants because it will produce problems that will make its perpetuation, if not practically impossible, at least increasingly difficult. Of course Hegel is fully aware that merely recognizing something as unethical is still a long way away from

social change. But even if there are mechanisms of evasion and denial that prevent us from heeding our better judgments, a Hegelian optimist nevertheless trusts that the unethical cannot go completely undetected by those who are attempting to live it out.

While I take this to be a crucial, original, as well as attractive aspect of Hegel's view, and one that I think is in the end worth defending, I would like at least to mention one context to which such optimism may not be so easily extended. In his novel *Elizabeth Costello* (2003), J. M. Coetzee describes an old woman and renowned writer who is haunted by our treatment of animals and believes herself to be utterly alone in her qualms. When invited to give a lecture at the university where her son happens to teach, she decides to speak on this topic. Given how divisive the issue of animals tends to be, this makes for a very trying visit, full of confrontations with the university faculty as well as with her daughter-in-law – a currently unemployed philosopher of mind – who has little patience for vegetarians. On the way back to the airport, her son finally asks her why she has “become so intense about the animal business.” To this question, she gives the following reply:

It's that I no longer know where I am. I seem to move around perfectly easily among people, to have perfectly normal relations with them. Is it possible, I ask myself, that all of them are participants in a crime of stupefying proportions? Am I fantasizing it all? I must be mad! Yet every day I see the evidence. The very people I suspect produce the evidence, exhibit it, offer it to me. Corpses. Fragments of corpses that they have bought for money.

It is as if I were to visit friends, and to make some polite remark about the lamp in their living room, and they were to say, “Yes, it's nice, isn't it? Polish-Jewish skin it's made of, we find that's best, the skins of young Polish-Jewish virgins.” And then I go to the bathroom and the soap wrapper says, “Treblinka – 100% human stearate.” Am I dreaming, I say to myself? What kind of house is this?

Yet I'm not dreaming. I look into your eyes, into Norma's, into the children's, and I see only kindness, human kindness. Calm down, I tell myself, you are making a mountain out of a molehill. This is life. Everyone else comes to terms with it, why can't you? *Why can't you?*¹⁵²

¹⁵² Coetzee (2003), 114-5.

There is much to say about this passage, and much to object to. Thus it is important to keep in mind that Coetzee is not treating Elizabeth's Costello's outlook as authoritative, and she is certainly not let off the hook for drawing the above comparison. But my interest in this passage has less to do with her specific evaluation of eating meat and its ethical repercussions. Rather, I would like to consider it as a kind of thought experiment that explores the plausibility of such a scenario, one in which we partake in a "crime of stupefying proportions" without any inkling of doing so. What Elizabeth Costello describes is watching people perpetuate such a crime while never detecting a hint of reservation in their demeanor. All she sees in their faces is human kindness. And the practice in question seems to operate smoothly without generating difficulties for us and in this way inviting reservations in the first place. In short, there seem to be no problems, let alone crises, in sight that could compromise its sustainability and throw it into a critical light. Regardless of whether we ultimately regard Elizabeth Costello as some kind moral genius or (as she herself suspects) as a bit mad, her account of her own sense of alienation raises the broader question of whether it is possible to conform seamlessly to an unethical practice without ever coming across grounds for suspicion.

Though I want to leave this broader question unsettled, I do think it is no coincidence that it arises with respect to our treatment of animals. Since they are not fellow members in social life, it may look easier to mistreat them without giving rise to riots, revolts, or other forms of protest. But in the end I do not think Hegelian

optimism is completely unwarranted, even in this context. Here I would like to cite a slightly different example, from Jonathan Safran Foer's book *Eating Animals*. There he describes his experience of accompanying an activist to a factory farm at night to save a handful of injured animals. Although there is no one anywhere in sight, they find the doors to the factory to be locked. Foer writes, "In the three years I will spend immersed in animal agriculture, nothing will unsettle me more than the locked doors. Nothing will better capture the whole sad business of factory farming. And nothing will more strongly convince me to write this book."¹⁵³ The fact that the meat industry is intent on keeping so many of its practices concealed can be seen as an implicit acknowledgment that these would be threatened by exposure, because were we fully aware of what is being done to animals behind locked doors, we would find it increasingly difficult to continue eating them. But we seem no more eager to find out than the industry is eager to reveal. I nevertheless cannot help but think that any set of practices so contingent on opacity can at best lead a precarious life.

¹⁵³ Foer (2009), 87.

Chapter 4

Science

The Hegel I have presented so far maintains that we are able to determine what to do in specific situations as well as which basic principles are worth upholding, all without his help. We can do this by reflecting in the very ways we ordinarily do. As the foregoing three chapters have argued, Hegel's picture of ethical life confirms that we have everything we would need in order to engage in reflection at various levels, including reflection of the critical variety. More specifically, we already have access to the standards necessary for evaluating and correcting our social practices as well as their underlying norms. Ethical life so conceived is thoroughly self-sufficient, replete with all

the resources its members require to overcome its own shortcomings. But such a picture would consequently obviate any additional need for philosophy itself.

It is undeniable that Hegel conceives of philosophy as not merely one reflective enterprise among others, but as reflection *par excellence*. Philosophy is so paradigmatic because it is the highest form of *self*-reflection. As Hegel puts it, it is “reflective thinking, which has thoughts as such as its content and brings them to consciousness” (E1 §2). What this means is perhaps more perspicuous in the context of his *Logic*, which is engaged in thinking about thinking itself. But this description holds no less true of the *philosophy* of right, though what it would mean in the latter context awaits clarification. As an instance of self-reflection nonetheless, it is one that from the standpoint of ethical living looks superfluous at best, for it seems to have nothing to contribute to our knowledge of the good, which we possess as adequately habituated and sufficiently active social participants. This leads to the surprising conclusion that Hegel the philosopher has turned out to be something of a quietist.

Although I will argue that Hegel does not in the end consider philosophy to be superfluous to ethical living, I admit that this assessment of philosophy is at first glance confirmed by his cautionary remarks against its critical or revisionary pretensions. As I have previously pointed out, in the *Philosophy of Right* Hegel warns that philosophers should not seek to *instruct* the world about how it ought to be and even ridicules those who believe themselves capable of providing such instruction. He claims that its proper aim is to enhance our understanding of how the social world is by grasping its inner rationality. Even if it is not immediately clear what this would mean, Hegel clearly means to circumscribe the philosopher’s task in such a way as to exclude the

issuing of practical precepts. Philosophers have no business telling us which principles we ought to live by, let alone which laws we ought to institute.

At the same time, Hegel does admit that philosophy has in the modern world become a public practice, and this is indeed part of his argument against its prescriptive ambitions. Thus he notes that it is “even less surprising if the government has finally drawn attention to such philosophizing, since by us philosophy is not, like by the Greeks, exercised as a private art, but rather it has a public existence that touches its audience” (PR, 21). This suggests that Hegel thinks the state is rightfully concerned whenever philosophy begins to harbor the aspiration to prescribe new and improved laws. Then it is not only overstepping its own boundaries, but also stepping onto the state’s turf. But even though Hegel’s acknowledgment of the publicity of philosophical reflection on one level confirms his supposed quietism, it also raises a serious difficulty for his position. If philosophy is indeed a public practice, it is in need of a correspondingly *practical* justification. By this I do not mean that philosophy needs to demonstrate its utility for the attainment of some extrinsic end, that it must prove to be strictly speaking useful. Rather, what I mean is that a philosophy that claims to be about right must make a contribution to right, even if its contribution is merely to offer a better understanding of it. Another way to put this would be to say that a philosophy of right must be of some ethical value, and since it is a reflective endeavor, this value probably involves yielding some kind of insight into the good.

Hans Friedrich Fulda has raised a version of this question in his paper “The Rights of Philosophy”: “For what are the rights and obligations of philosophy, as a social and political ‘institution,’ with respect to making its presence felt within the realm

of actuality?”¹⁵⁴ Fulda notes that this question has rarely been raised because it is assumed that philosophy has exclusively theoretical ends and so need not have a practical upshot. He disputes this by pointing out that the rights and obligations that distinguish philosophical reflection must be conceived in *ethical* terms. But even though Fulda concedes that this cannot amount to asking how philosophy can serve the ends of the state (since both philosophy and ethical life must be autonomous ends that are pursued for their own sake), he ultimately ties this ethical task of philosophical reflection too closely to ethical upbringing, making it an integral part an individual’s *Bildungsprozess*. This strikes me as implausible, because it grants philosophy a task that is perhaps *too* integral, from the practical point of view. Indeed I think Hegel wants to sever philosophy from *Bildung* proper and introduce it into the picture only once this process is, from the practical point of view, finished. Moreover Fulda ultimately ties philosophy too closely to social criticism, claiming that it cultivates a will that is oriented toward *reforming* the actual world. Although more needs to be said about the proper relation between philosophy and social criticism, we have already seen that it cannot be as straightforward as this seems to suggest – that philosophers themselves make the best social critics.

Though this does not immediately answer our question, in programmatic statements like the following Hegel intimates that philosophy’s proper task is to tell us what we already know, “to make the implicit explicit,”¹⁵⁵ so to speak:

The business of philosophy consists only in bringing explicitly to consciousness that

¹⁵⁴ Fulda (2004), 21.

¹⁵⁵ This is a phrase that tends to be associated in Robert Brandom, for example in works like *Making it Explicit*.

which people held to be valid about thought from time immemorial. Thus philosophy establishes nothing new; what we have here brought forth through our reflection is already everyone's immediate presupposition (E1 §22A).

Although this seems like a humble enough program, and one that steers clear of prescriptive ambitions, it isn't clear why it is worth undertaking, especially for the author of a text like the *Philosophy of Right*. What kind of project is this? Why even bother to make explicit by means of reflection what everyone already takes for granted without it? In short, wherein lies the ethical value of philosophical reflection of this kind?

This question becomes all the more pressing when we consider that philosophical reflection looks to be not merely superfluous to living well, but potentially harmful to this enterprise. I suggested that Hegel shares Williams' worry that reflection in general is governed by a drive toward theory that tends to impoverish our ethical knowledge – a drive which culminates in philosophical theorizing. For Hegel this is the very drive that gives rise to abstractions that distort the complex character of ethical life. In fact, this is one of Hegel's main targets in his early essay on Natural Law, and in that context he cites what he calls "scientific empiricism" as an example. In its effort to ground ethical life, this method abstracts one of its empirically given aspects and confuses what is in fact only a part with the whole,¹⁵⁶ making it "prescriptive as the essence of the relation" (NL, 422). But this drive ultimately

¹⁵⁶ He writes, "But the totality of the organic is precisely what cannot be thereby attained, and the remainder of the relation, excluded from the determinate aspect that was selected, falls under the dominion of this aspect which is elevated to be the essence and purpose of the relation" (NL, 422). As an example he cites the effort to explain punishment by appealing to only one the many social uses this practice has, such as moral reform or deterrence, as its justificatory ground, and thus making only one of its aspects "essential" at the expense of the rest.

transgresses empirical constraints altogether, refusing to acknowledge its continued indebtedness to experience. According to Hegel, it is experience that provides us with the specific content of ethical life, and this content is in turn “being corrupted and perverted by philosophizing” (NL, 430). Thus he paints the following picture:

This restrictedness of concepts, the fixing of specific characteristics, the elevating of one selected aspect of appearance to universality and granting dominion over the others, has in recent years styled itself not just ‘theory,’ but ‘philosophy,’ and when it rose to emptier abstractions and seized on purer negations such as freedom, pure will, humanity, etc., styled itself ‘metaphysics’ (NL, 429).¹⁵⁷

By the time Hegel writes the *Philosophy of Right*, he is no longer preoccupied with the pitfalls of the empirical method per se. Rather, his worry is that philosophical reflection now swings free of any regard for our practices as they are – something empiricism at least remained committed to – thus generating a conception of freedom so abstract and consequently distorted that none of our practices can meet its standard.

So how is the *Philosophy of Right* able to avoid these destructive effects and to put reflection to ethical use? Hegel’s ambitions in this respect are quite high. The *Philosophy of Right* is meant not only to avoid these effects, but even to reverse them. To put this slightly differently, Hegel understands his own project as one of reflection’s self-overcoming, reflection putting itself to rest. He moreover suggests that this self-overcoming can only occur when philosophy – in this case a practical philosophy

¹⁵⁷ Hegel adds that empiricism “rightly demands that such a philosophy should take its bearings from experience. It rightly sticks to its obstinate opposition to such an artificial framework of principles” (NL, 430). In other words, empiricism is already engaged in a certain form of abstraction, but it is preferable to philosophical theories that recognize no constraint imposed by experience. At the same time, both are ultimately manifestations of the same basic drive. So Hegel concludes that, “when empiricism seems to go to war with theory, it usually turns out that the one like the other is a vision already contaminated and superseded by reflection and a perverted reason” (NL, 430).

concerned with the subject matter of right – becomes a science or *Wissenschaft*.¹⁵⁸ As he rhetorically asks, “How in this crowding of truths is that which is neither old nor new, but rather that which is enduring, supposed to rise above these formless considerations that keep going back and forth – how is it supposed to distinguish and preserve itself except through science” (PR, 13)?

In this chapter I will focus on what Hegel means in calling for a “scientific” approach to ethics and why he thinks what he is offering is not just another ethical theory, which is a disparaging term in his book. Although there will be more to say about this, one significant difference for Hegel is that a science of right is not in the business of providing us with ethical knowledge of the first order. And it cannot be, if Hegel thinks this knowledge is already our own. As Hegel stresses, science is not concerned with discovering and propagating “new truths.” Rather, its primary function is to lend our ethical knowledge a particular form. This function is neither superfluous nor idle, for it is this formal task of philosophical reflection that is meant to deliver us from the dangers associated with theorizing.

So considering its scientific aims will in turn allow us to explore another way in which philosophy can contribute to ethical life, even when it fails to deliver practical guidance. The key to understanding this alternative approach lies in philosophy’s modest role of “making explicit” what we already know. Although this is bound to sound rather cryptic at this point, I want to propose that we can best make sense of this

¹⁵⁸ Although I intend to follow the standard translation of *Wissenschaft* as “science,” I want to caution against assuming that this term is synonymous to the one in English. *Wissenschaft* in German is a much broader concept that encompasses all forms of theoretical knowledge, including the human and social “sciences”. And in Hegel’s vocabulary in particular, *Wissenschaft* has a distinctive meaning that is idiosyncratic to his project. Much of this chapter will be an effort to explain what exactly Hegel means by “science”.

role if we think of philosophical reflection on the model of “recollection,” a model Hegel outlines and illustrates in the *Phenomenology of Spirit*. This is not an uncontroversial proposal, for the method in the *Phenomenology* is more frequently contrasted with that of Hegel’s systematic texts like the *Philosophy of Right*. I will argue that there is a greater affinity between them than has been acknowledged.

I do want to make one preliminary remark about thinking of Hegel’s method along the lines of recollection. In this respect Hegel’s conception of philosophy bears striking resemblance to that of Ludwig Wittgenstein, who characterized its end as that of “collecting reminders.”¹⁵⁹ Both Hegel and Wittgenstein stress that collecting reminders is a very difficult undertaking, even if we are in the end only trying to remind ourselves of something we already know. But for Hegel this difficulty has to do with more than the depths of our forgetfulness, for what we seek to recall is not simply lying around fully formed and ready to be unearthed. Recollection is so demanding because it cannot retrieve this knowledge without transforming it, giving it a form it did not previously possess, even though this form turns out to be the only one that is truly appropriate to its content. This is why, according to Hegel, “the thought of right is not whatever everybody has first hand, rather rightful thinking [*das richtige Denken*] is the knowing and recognizing of the thing [*das Kennen und Erkennen der Sache*], and our cognition should therefore be scientific [*wissenschaftlich*]” (PR, 17n). So the knowledge attainable by a science of right is not a mere repetition of truths everyone is sick of

¹⁵⁹ “The work of the philosopher is a collection of reminders for a particular purpose” [“Die Arbeit des Philosophen ist ein Zusammentragen von Erinnerungen zu einem bestimmten Zweck”] (Wittgenstein, *Philosophical Investigations* §127). Another striking similarity between Wittgenstein and Hegel is that they both seem to take skeptical doubts to be the “particular purpose” for which a philosopher gathers reminders.

hearing, nor is it simply a repetition of truths everyone once knew and has since forgotten. It is Hegel's claim that to make the implicit explicit is to give the rational content of ethical life the rational form it merits. My main objective in what follows is to shed some light on what this means and why it might be worth undertaking.

I will begin by considering whether a science of right is a normative endeavor, or whether its aims are exclusively descriptive. In other words, is Hegel interested in saying something about the goodness of our practices, or merely in identifying what they are? Our answer to this question will hinge on how we understand Hegel's use of the term "rational," whether Hegel takes it to involve merely intelligibility, or whether his interest is really in justification. I will argue that Hegel's project is normative in a sense, because it does seek to offer a justification of its object, though his object is an already idealized self-understanding. What this means is that the relevant difference between an ethical theory and a science of right hinges less on their aims, and perhaps also less on their content, and more on the *method* each employs. The next step is to explain this method by considering its relationship to Hegel's conception of systematicity. My guiding question will be to what extent the *Philosophy of Right* forms a systematic body of knowledge, and to what extent it depends on Hegel's broader systematic ambitions laid out in the *Encyclopedia*. Finally, I will consider the general structure of Hegel's procedure on analogy with his method in the *Phenomenology of Spirit*, assessing how far his project of recollection can help us understand the kinds of unpretentious, yet at the same time demanding aims that motivate his practical philosophy.

I. Evaluation and Description

In order to get a preliminary sense of what a science of right might be, we should first distinguish it from its various competitors, especially from what Hegel regards as a theoretical approach to right. At first glance we might suspect that, while an ethical theory is normative and seeks to offer some kind of evaluation of its object of study, a science of right does not. In particular, ethical theories presumably tell us which principles to employ in deliberation and action, while it may look like a science of right is meant to provide us with a description or perhaps an explanation of how we as a matter of fact act and deliberate, without asking whether we are right to do so.

Hegel's proclamations that a science in the relevant sense seeks nothing over and above a grasp of the social world as it is have led some to conclude that Hegel's practical philosophy is in fact not practical at all. Kierkegaard, for example, famously criticized Hegel for telling us only how life should be understood, not how it ought to be lived, while others have argued that Hegel is offering what is better described as a "sociology of ethics."¹⁶⁰ Although adopting a descriptive or explanatory attitude towards our social practices could have some alienating or disruptive effects on our participation in them,¹⁶¹ it does not seem to be as problematic as the standpoint of a normative theory, which has direct implications for our continued commitment to them. For example, any theory that tells us what genuine freedom consists in has the

¹⁶⁰ Walsh (1969), 11, 55.

¹⁶¹ Nietzsche's *Genealogy of Morality* is an example of a broadly explanatory theory with critical consequences. Nietzsche claims that he is merely reconstructing the origins of our moral conceptions, but in doing so he is simultaneously undermining the kind of justificatory basis we assumed they had – for example by showing that these conceptions are historically contingent, or that they arose through "immoral" motivations.

power to alienate us from those parts of our world that turn out to be in tension with the requirements of freedom. So this might be one way to avoid the negative repercussions of reflection, namely, by refusing to engage in the evaluative sort. Even though such a theory of ethical life may still have negative repercussions for our practical knowledge, at least it does not purport to teach us which among our principles we ought to heed.

In short, a science of right so understood could still be characterized as a theory, but more akin to the kind natural science provides, where there is no question of whether the laws of nature are justified. In fact Hegel invites this comparison when he advises that philosophy investigate the natural and ethical worlds in similar ways.¹⁶² He recommends that we begin by regarding the ethical world as rational in the same sense as we do the natural world. When we study nature, we assume that it is already governed by a set of laws that lend it a certain internally coherent structure, and we admit that our task is to discover what this structure is. Those who study the domain of right are to adopt a similar starting point and seek to identify and explain the laws that already structure the social world under investigation.

But even though this convergence in starting points exploits a favorable contrast between giving a description of how things stand and offering prescriptions for their improvement, this does not yet rule out that his project may in the end be an evaluative one. In fact, Hegel explicitly acknowledges the limits of his comparison

¹⁶² “As far as nature is concerned, it is admitted that philosophy is to know [*erkennen*] it *as it is*... The ethical world in contrast, the state, or reason as it actualizes itself in the element of self-consciousness, it is not to enjoy the good fortune of being reason, which has in fact in this element acquired power and authority, and which asserts itself and remains inherent in it” (PR, 15).

between the attitudes of the natural and practical philosopher. When trying to understand the laws of nature, it is only our understanding that is subject to normative constraints, and not the object of our understanding. In other words, while we can either get these laws right or wrong, the laws themselves cannot be right or wrong. As Hegel puts it, “The measure of these laws is outside of us, and our knowing adds nothing to them, does not advance them: only our knowledge of them can advance itself” (PR, 16n).

But “the knowledge of right is in one respect the same, in another not” (PR, 16n). We learn ethical laws in the same way we learn the laws of nature, namely, as already there, established, and operative, whether we investigate them or not. But this divide between our knowing and its object is, when dealing with the domain of spirit, not sustainable. Hegel points out that in this process of investigation we likewise discover that these laws are not „absolute,“ which in this context means that they are not fully independent of our attitudes toward them. Rather, they are laws (*Rechtsgesetze*) that have been „posited“ (*Gesetztes*) by us in the first place.¹⁶³ Once we make this discovery, we come to think that *we* possess the measure that these laws must meet, rather than taking the laws as setting the measure that our understanding of them must meet. For Hegel this is where the problems begin. This discovery introduces not only the possibility of a conflict between these given principles and the dictates issued by

¹⁶³ “But the difference is that with the laws of right [*Rechtsgesetzen*] the spirit of reflection [*Betrachtung*] arises and already the diversity of laws draws attention to the fact that they are not absolute. The laws of right are posited [*Gesetztes*], coming from human beings” (PR, 16).

our „inner voice,“ but it also allows us to grow arrogant and misled into taking our inner voice as the sole ethical judge.

What matters for us at this point is not Hegel's diagnosis of where things go astray, but his assessment of the discovery that lies at the root of this conflict. What Hegel suggests is that there is a relevant difference between natural and spiritual laws, a difference that needs to be accounted for our attitudes towards them. Whereas it would be inappropriate to evaluate the laws of nature, such an evaluation is an essential component in even understanding the ethical world. To be more precise, Hegel is arguing that we cannot remain indifferent to the laws we are trying to comprehend. Even though we find them to be in place before we turn our attention to them, it is nevertheless we who ultimately put them there, for their origin is a human one.¹⁶⁴ This for Hegel means that understanding them must also involve an interrogation of them, a demand that they justify themselves to us. What Hegel rejects are the standards usually employed in such an interrogation, and not the demand for justification as such. In short, his hostility toward prescriptions or mere “oughts” does not as such preclude that Hegel himself harbors normative aspirations. He even goes so far as to suggest that it is not possible to gain an understanding of our social norms without simultaneously asking whether we are right to uphold them.

In the Preface he gives us at least three other clues to suggest that he is engaging in an assessment of some sort. The first clue is the analogy he draws between his own *Philosophy of Right* and Plato's *Republic*. Even though the *Republic* may seem like

¹⁶⁴ I take this to be one conclusion from the chapter on Greek *Sittlichkeit*. As I already suggested in the second chapter, although the Greek world was divided into two independent sets of laws, the human law and the divine law, the modern world no longer recognizes such a distinction.

a prescriptive project par excellence, Hegel denies that it is concerned with delineating a mere ideal, a society that is not drawn from the self-understanding of the one Plato himself inhabited. Hegel writes, “In the course of the following treatise I have noted that the Platonic Republic itself, which counts as the slogan of an *empty ideal*, has essentially captured nothing but the nature of Greek ethical life” (PR, 24). This is undeniably an unorthodox reading of the *Republic*, or at least a reading with an unusual emphasis. Hegel is here suggesting that Plato’s utopian vision of an ideally just city is culled directly from the city he as a matter of fact inhabited, albeit in inverted form. To be more precise, Hegel thinks that Plato acknowledged the emergence of certain destructive forces in his society, specifically the principle of “free infinite personality” [*freie unendliche Persönlichkeit*] (presumably embodied in Socrates), and he acknowledged this precisely by delineating the structure of a society that would exclude this very principle. Of course Hegel wants to avoid falling prey to such reactionary inversions. But he likens his work to Plato’s nonetheless. Hegel’s point is that his as well as Plato’s subject matter is a normative one, namely the idealized self-understanding that is shared by their respective compatriots. So neither of them is offering a straightforward description of the customary practices that surround them, but what they are describing are the standards to which those practices hold themselves, whether they ultimately cast them in a negative or a positive light.

He gives us the second clue shortly thereafter, in the form of his infamous *Doppelsatz*: “That which is rational, is actual; and that which is actual, is rational. On this conviction every unprejudiced consciousness as well as philosophy takes its stand, and from it philosophy proceeds in its investigation of the spiritual universe just as of

the natural one” (PR, p. 24). However we may understand this identity of the actual and the rational, it very much seems as if Hegel is making a strongly evaluative claim, for in calling the actual “rational,” he seems to be saying that it is good, justified, and worthy of our endorsement. So the question left to answer is what Hegel takes to be the object of endorsement, namely, whether Hegel wants to affirm the status quo as such, whatever it may be, or only that portion of it that is as it truly ought to be.

In a compelling paper about the *Doppelsatz*, Robert Stern lays out the two standard alternatives – the conservative and the progressive readings of this claim. According to the conservative reading, which few people nowadays defend, Hegel is saying that whichever practices and institutions happen to exist are rational and thus justified and good. On this picture, philosophy lacks any basis for adopting a critical attitude towards the social world and pronouncing it as insufficiently rational, and thus good and just. But its task is nevertheless a normative one, namely that of legitimating the status quo, whatever that status quo happens to be. According to the progressive reading, the *Doppelsatz* also involves a legitimization of some sort, but it disputes that its object is whatever practices and institutions happen to exist. Rather, this reading points out that “the actual” is a technical term for Hegel, one that is to be distinguished from what merely is and yet fails to live up to what it ought to be. In other words, Hegel is not claiming that everything that exists, is good, but only that part of existence that corresponds to its essence.

Although Stern gives us a perspicuous reconstruction of these two interpretive possibilities, he himself wants to steer clear of either pole. According to Stern, the question we need to ask is what Hegel even means in calling something “rational” and

whether such a pronouncement involves an affirmation on his part. He disputes that we should understand “rational” as a strongly normative concept that implies justifiability. Rather, Stern argues in favor of what he calls a normatively neutral reading of the *Doppelsatz* that takes “rational” to be a methodological concept. All that Hegel means in calling the actual “rational” is that it is intelligible to reason and so suitable to be investigated by its means. It does not mean that the actual is therefore in any way good from an ethical point of view. This neutral reading has the advantage of being able to make sense of the *Doppelsatz*’s place in the *Philosophy of Right*. Stern is right that it would be very surprising indeed if Hegel inserted such a strong thesis in the opening pages of his work, which he usually reserves for methodological remarks, rather than for substantive claims.¹⁶⁵ Hegel moreover explicitly identifies the *Doppelsatz* as the starting point of philosophical inquiry, not as its conclusion. So how can such an investigation, even one that is engaged in an effort of legitimization, proceed from the assumption that its object meets ethical standards?

Despite these considerations in favor of Stern’s neutral reading, I question whether it is helpful in shedding light on Hegel’s ultimate aims in this work. It is true that Hegel employs the term “rational” in a spectrum of ways, at times implying nothing beyond rational intelligibility, and other times suggesting something more robust, closer to “reasonable” and perhaps even to “good.” And Stern may be right that the *Doppelsatz* should be read in the more minimal sense as expressing no more

¹⁶⁵ As Stern puts it, “[Hegel] therefore does not use the introductory sections of his writings to attempt any real exposition of the book as a whole, or any defense of its conclusions; instead, he mainly uses them to deal with meta-level issues, concerning the nature of the work as a work of *philosophy*, and therefore with the question of what philosophy (in Hegel’s view) is” (2006, 239).

than “a faith in reason.” But this does not yet imply that the work as a whole should not be read as making a normative claim. There are other reasons to think that there is more at stake for Hegel than merely demonstrating the rational intelligibility of the social world, its suitability for philosophical comprehension. In short, even if the *Doppelsatz* on its own does not express a normative assessment of the actual, we might nevertheless think that Hegel’s overall argument in the *Philosophy of Right* does.

The main evidence in support of this is also the third clue suggesting that Hegel is engaging in an evaluative endeavor. Toward the end of the Preface Hegel identifies “reconciliation” as the real payoff of philosophical comprehension. Let me quote the relevant passage in full:

What lies between reason as self-conscious spirit and reason as the present world, what separates the former reason from the latter and prevents it from finding satisfaction in it, are the shackles of some abstraction, which has not been freed to the concept. To recognize reason as the rose in the cross of the present and to thereby rejoice in it, this rational insight is the reconciliation with actuality, which philosophy affords to those in whom there has once arisen an inner voice bidding them to comprehend (PR, 26-27).

Many have read this passage as an admission of Hegel’s strongly normative aims. If philosophical comprehension is meant to afford reconciliation with the social world, then such comprehension cannot be separated from a rational assessment of this world. It looks like we can only reconcile ourselves to what we can regard as good. And since a rift has been drawn between us and this world and we are currently in doubt about its goodness, reconciliation is contingent on Hegel’s ability to justify its ways to us.¹⁶⁶

¹⁶⁶ Robert Stern considers such an objection to his methodological gloss on the term “rational,” but he argues that there is another way of construing the above passage that is compatible with his neutral reading. According to Stern, rational comprehension, even in the absence of justification, embodies a kind of anti-utopianism, which is all that Hegel needs. In other words, understanding that the world is rational in this more minimal sense – i.e. rationally intelligible – is enough to prompt us to become reconciled to the world, even if it leaves open the question of whether or not we can endorse it. Stern moreover adds that his neutral reading is better able to make sense of Hegel’s project of reconciliation, since Hegel suggests that it is the philosopher – misled by theoretical abstractions – who is in need of reconciliation, and not the man on the

I do agree that reconciliation can only be achieved through justification, if its source is certain kind of doubt. But I am not convinced that Hegel thinks we are in doubt about the goodness of the social world, or at least not directly. There seems to be another way of construing the project of reconciliation that neither Stern nor his interlocutors consider. This construal holds that the object of reconciliation is not the social world exactly, so neither this world as it happens to be, nor those parts of it that are as they ought to be. What requires our reconciliation is the ideal to which we hold ourselves, more specifically, the principles to which we are committed. To return to the analogy with the *Republic*, it is our idealized self-understanding that is in need of a rational vindication. I admit that it may sound rather un-Hegelian to separate the two by drawing a sharp wedge between our idealized self-understanding and the world we as a matter of fact inhabit. Presumably our principles do inform our individual conduct as well as our social practices. And as we have previously seen, Hegel moreover holds that there is often a necessary connection between them – that a commitment to a certain set of principles can issue only in *this* conduct and *these* practices, and no other.

Despite this connection, I do think that the true target of Hegel's account is nonetheless an ideal. But what makes this ideal "actual" is precisely the fact that it does inform our conduct and practices. So there is a sense in which Hegel is referring to the world, though a world not as it is, nor as it ought to be, but as its inhabitants *think* it ought to be. Once we see that the object of reconciliation is our own norms, so to

street. The latter, as Hegel himself admits, finds his knowing and his willing already satisfied by the world he inhabits (PR, p. 16).

speak, it becomes easier to understand how Hegel's project can itself be regarded as a normative one.

This of course makes Hegel's project sound like one that is much more in line with traditional theorizing, and it is true that its aims are similar in this respect. A theory and a science of right are both concerned with evaluating the norms to which we subscribe and asking whether we should continue doing so. There are, however, a few central differences between them. The first has to do with the strategy that each employs in conducting such an evaluation. What distinguishes Hegel's project is less its conclusions, and more its method. It is on methodological grounds that he insists on the difference between a scientific and a theoretical approach to right. Another way he puts this is to say that a science of ethics stands out in virtue of its form, rather than its content. So we need to take a closer look at how he describes this form and how it can contribute to the task of justification. This will become our next focus.

But before we turn our attention to the form Hegel thinks is distinctive of a scientific approach, it is worth noting that a science of right would have to differ in its content as well. Hegel thinks that, because normative theorists privilege content at the expense of form, they are preoccupied with making substantive discoveries about which principles we ought to heed. Hegel pokes fun at those philosophers who imagine that they have discovered such "new and unheard-of truths", and that the world has been eagerly awaiting these discoveries. A science of right, in contrast, tells us only those truths we already know, and as he mysteriously adds, truths we have always known.

This description, however, needs to be significantly qualified. When I said that Hegel is interested in evaluating how the world *thinks* it ought to be, I should have added that it does not always *know* what it thinks it ought to be. So Hegel confronts the prospect that we may fail to recognize our own idealized self-understanding, more specifically, that we may not be self-conscious of the principles to which we are committed. We have seen versions of such delusion in previous chapters, in the context of cultural reflection as well as in that of immanent critique. But in this context Hegel is not merely confronting it as a possibility, but as a genuine problem. His project begins with the basic assumption that we are in fact deluded about our own ideals and that these need to be not just evaluated, but also exposed. As we will see, these are for him inseparable tasks that his method must simultaneously accomplish. What this shows is that there is a sense in which his project must be also descriptive, for we must be able adequately to describe our norms before we can evaluate them.

So when Hegel claims that his science will do no more than tell us what we already know, he does not mean that such a science makes it its mission merely to reaffirm our pre-philosophical assumptions. First of all, Hegel thinks that it is its distinctive method that leads it to those truths; it does not take them for granted. Moreover, as we will see, Hegel thinks that arriving at truths we already know is a genuine accomplishment, though he is convinced that once we discover them, we will find them to be indisputable. This indicates another crucial difference between a theory, and a science, of right. Whereas theories are doomed to deliver doctrines that remain contentious, science does justice to our pre-philosophical intuitions. Although Hegel thinks this is a significant advantage of the scientific approach, the mere fact that

a science of right accords with these intuitions is not as such enough to justify its conclusions. Just because we do not contest them does not yet indicate that they are genuinely beyond dispute. Rather, it is his method that is meant to protect his doctrine from arbitrariness. And it is precisely the lack of such a rigorous method, or its “formlessness,” that he thinks prevents ethical theorizing from delivering truths that we are right to doubt no further.

In order to avoid such formlessness, Hegel sets himself the task of finding the form that is called for by the content, or to put it slightly differently, of developing a method that is suitable to the subject matter under consideration, so the topic of right. He is quite clear that it is this form or method that is meant to accomplish not only his descriptive aim of somehow capturing and preserving our ordinary ethical knowledge, but also his normative aim of showing it to be genuine knowledge. In a crucial passage he writes,

In any case the truth about right, ethical life, and the state is as old as it is openly presented and familiar in the public morality and religion. What more does this truth need, insofar as thinking spirit is not satisfied to possess it in this familiar way, if not also to comprehend it and to win for this in itself rational content also a rational form, so that this content appears justified to free thinking, which does not stop with the given, whether through the outer positive authority of the state or the agreement among people, or through the authority of inner feeling and the heart and the immediately concurring witness of spirit that supports it, but rather proceeds from itself and thereby demands to know itself as united in its innermost with the truth (PR, 13/14).

Although he thinks philosophers exaggerate the extent to which we disagree about ethical matters, this passage suggests that the sheer fact of agreement is for Hegel not enough. At the same time, the problem is clearly not that we lack ethical knowledge, but that we don’t recognize what we have as a form of knowledge in the first place. In

Hegel's words, we are already in possession of a rational content, but without the requisite rational form. And this is precisely what his method is supposed to supply.

II. System of Right

Our next task is to investigate how Hegel characterizes this method capable of delivering indisputable truths that fully capture what we in some still elusive sense already know to be ethically valid. Within the *Philosophy of Right* he says rather little about it. For example, he begins his Introduction by telling us what this method is not. It is not a purely formal method that begins with definitions of certain concepts and then tries to somehow derive substantive conclusions from those definitions alone. Nor is a subjectivist method that proceeds on the basis of our intuitions, which Hegel in this context associates with the “ethics of conviction” [*Überzeugungsethik*]. The former makes the error of presupposing the definitions themselves without being able to show why they are the correct ones, and it falsely assumes that it can derive practical norms and discover the nature of right by means of conceptual analysis alone. But the latter method, Hegel suggests, is even worse. It is thoroughly un-philosophical, because it makes the “arbitrariness of knowing” into its principle, which means that it treats our given intuitions as the highest arbiter of right without providing us with any way of interrogating their reliability.

When it comes to giving a positive account of his method, Hegel simply says: “Wherein consists the scientific approach of philosophy can here be presupposed from the philosophical Logic” (PR §2). There is a big question about how seriously we want to take this claim. First of all, some interpreters have worried that drawing too close a

connection between the *Science of Logic* and the *Philosophy of Right* will make Hegel's practical philosophy far too dependent on his highly contested ontological commitments outlined in the former text. In short, it would suggest that his doctrine of right presupposes his account of the basic structure of reality without which it could not be accepted.¹⁶⁷ Secondly, some have questioned how far Hegel's analogy between his logical and practical method can go, given that the transitions in the *Logic* seem to involve a kind of conceptual necessity of which the transitions in the *Rechtsphilosophie* frequently fall short.¹⁶⁸ But these are not the questions most relevant to our concerns. Rather, I want to focus on another point of overlap between a science of logic and a science of right, namely their shared preoccupation with the contours of a philosophical "science." The *Science of Logic* in particular seems to be concerned with the task of developing a philosophical method that is non-arbitrary, and it is this concern that makes it an especially fruitful companion to the *Philosophy of Right*.

In the *Encyclopedia Logic*, for example, Hegel lays out several requirements that a philosophical method must meet if it is to avoid arbitrariness. One requirement is that the form it imposes be appropriate to – or, as he puts it, "identical" with – the content

¹⁶⁷ This seems to be the basic premise of Kevin Thompson's paper "Reason and Objective Spirit: Method and Ontology in Hegel's *Philosophy of Right*." There he argues that for Hegel any form of justification, including justification of a practical principle or norm, is a "matter of demonstrating a thing's proper place within the totality of what is. It is, in a word, to establish something's ontological status, to locate its place within the whole of reality itself" (2001b, 116).

¹⁶⁸ Fred Neuhouser calls the transitions in the *Philosophy of Right* "quasi-logical" "because [they] involve more than purely conceptual analysis" (2000, 31n). This statement has caused a bit of a stir in the literature. For example, Will Dudley contests that "If the *Philosophy of Right* were only quasi-logical, however, then it could not determine the structure of truly rational institutions, but instead could offer at most an account of quasi-rational institutions, or those institutions that might make sense under certain empirical conditions or certain pragmatic considerations" (2004, 12). Although I cannot go into great detail at this point, I think Dudley's response rests on a very problematic (because very stark) distinction between the empirical and the rational that I doubt Hegel would accept.

under consideration. He claims that he is trying to work out such a method “which, as [he hopes], will be recognized as the only truthful method, namely one that is identical with the content” (E1, 11). On the one hand, Hegel is here concerned with developing a method that is not an external imposition on its object, but that somehow arises from within the object under scrutiny. On the other hand, Hegel is also concerned with developing a method that is not merely one among other contenders, but that is the *only* one appropriate to the subject matter at hand. This is what he means in calling for the identity of form of content, and demonstrating this identity would be one way of proving that the method employed was not an arbitrary one. Although this requirement will turn out to be crucial in understanding the function of a science of right, it is not clear that looking to the *Logic* will be of much help, given that the subject matter of right seems to differ significantly from that of logic.

But I want to focus on another requirement that Hegel thinks both methods must share. He points out that in any investigation, but especially in the normative sort, we must presuppose a standard of evaluation in light of which we seek to assess and justify our object. The question that naturally arises then is how we can be sure that this standard is the right one, namely that it is itself in turn justified, and not a merely arbitrary presupposition. In the *Encyclopedia Logic*, Hegel identifies this as the problem of the beginning and he characterizes his aim as that of developing a presupposition-less science: “But the difficulty of making a beginning arises simultaneously with the fact that a beginning as something immediate makes its presupposition, or is moreover itself such a presupposition” (E1 §1). It is beyond doubt that the task of avoiding an arbitrary starting point and a groundless principle is

Hegel's main methodological preoccupation, whether in the *Phenomenology of Spirit*, the *Science of Logic*, or the *Philosophy of Right*.

This task of developing a presupposition-less science leads us to Hegel's notorious obsession with and commitment to systematicity. To put it in highly general terms, Hegel argues that any standard of assessment can be justified only from what he calls the "standpoint of the whole." What this means for Hegel is that any given principle gains its validity through its place within a *system*. The notion of systematicity is absolutely central to Hegel's understanding of the philosophical method, and Hegel in fact follows Kant in defining a science as a systematic body of knowledge. As he states in the "Introduction" to the Encyclopedia:

A philosophizing without system cannot be scientific at all; such philosophizing expresses for itself more of a subjective disposition, its content is accordingly contingent. A content has its justification only as a moment of the whole, outside of which it is only an ungrounded presupposition or subjective certainty (E1 §14A).

Hegel characterizes a systematic body of knowledge as one in which each particular piece of knowledge stands in necessary relation to every other. Those relations do not have to be strictly speaking deductive. Nevertheless, it must hold true that each part makes an indispensable contribution to the whole. Were it missing, it would compromise the integrity of the entire structure.

Although Hegel largely inherits this notion of systematicity from Kant as well as Fichte, he rejects a significant tenet of theirs. Both Kant and Fichte believe that a body of knowledge becomes systematic only when each piece of it can be deduced from a single universal principle that serves as its foundation. For Kant this was the ideal that governed inquiry, namely to strive to discover ever more basic laws of nature that

subsume all others. And Fichte as well as was concerned with formulating a principle that could serve as a self-sufficient basis upon which his entire philosophical system could be built. But Hegel abandons this requirement and denies that there is a single principle that can anchor a system in this way – a presupposition-less starting point that itself needs no further justification. At the same time, the relationships between the various principles that comprise a system must exhibit necessary connections, even if there is no one principle from which the rest can be derived. So when Hegel says that justifying any given standard requires relating it to the whole, he is not saying that it must be derivable from some supreme standard. Rather, all it requires is demonstrating that it occupies a necessary place within a broader network of interdependent principles.¹⁶⁹

So even though Hegel raises the difficulty of finding the right starting point, we should avoid thinking that he is looking for some kind of foundation that needs no

¹⁶⁹ Thus I am denying what Kevin Thompson identifies as one of Hegel's "strictures of systematicity." While I agree that for Hegel "the parts must stand in inferential relations to each other [and] must be individually necessary and mutually implicatory," I disagree that Hegel thinks giving an account of something requires tracing it back to a ground "by joining its various elements under the governance of an indubitable and noninferential axiom, an absolute first principle (ein erster Grundsatz)" (2001b, 114). In his response "Beyond the Ontological Foundation for the *Philosophy of Right*," Simon Lumsden already critiqued certain problematic theses in Thompson's paper, for example his claim that systematicity needs to be supported by ontology and that a systematic progression of reasoning is for Hegel an analytic one. But he does not challenge Thompson's claim that systematicity requires a first principle in the first place.

At this point I would like to add a comment about the relationship between systematicity and ontology, even though this is not my main concern. According to Thompson, this first principle is supposed to capture Hegel's commitment to the fundamental interdependence between method and ontology, for "methodology could be nothing less than the conceptual articulation of the process in and through which things come to be what they intrinsically are" (2001, 115). Lumsden argues that this is not the kind of justification that Hegel is after, for the relevant principle needs to be situated in a "logical structure," rather than demonstrated as the principle at work in nature. But even if we accept Lumsden's critique, there remains a sense in which systematicity does rest on certain ontological assumptions, even in the context of the *Philosophy of Right*, for it only makes sense to build a systematic body of knowledge of an object that is already in a sense systematically structured. In other words, our knowledge of ethical life can be systematic only because ethical life is itself a systematic whole. But this does not involve proving that its principles can be traced back to some single source that lends them legitimacy.

further grounding. We must make sure that wherever we begin can be integrated into a system, that it does constitute an indispensable part of the whole. But no part can in the end take absolute priority. So once we understand how a system works and what kind of justification it provides, we realize that it does not in a sense matter where we start. What makes his investigation a scientific one in the relevant sense are the systematic connections it establishes, and these can be established regardless of which principle we take as our first. In the *Philosophy of Right* he writes, “Philosophy forms a circle: it has something that is first, immediate, since it must after all start, something that is not proven, that is not a result. But that with which philosophy starts is immediately relative, for it must at another point appear as a result” (PR §2A). Hegel frequently invokes this circular image of the philosophical procedure to indicate that, although we must start somewhere, that beginning is only provisional. Once the procedure has been carried out, the principle we initially invoked will be properly situated within a systematic context in which it will be on equal footing with every other principle. And it is only in that context that we can see why our starting point was legitimate in the first place. This is not visible to us prior to completing the procedure.¹⁷⁰

But there are certain constraints on what can serve as an adequate starting point. For Hegel, we cannot simply invoke any principle whatsoever, since it is

¹⁷⁰ This conception of systematicity may be closer to Fichte’s than I make it sound. Fichte at various places suggests that, even though we must pick a principle as our starting point, we can only prove that this was the right starting point when we have successfully derived all other truths on its basis. So he admits that the starting point is never self-evidently legitimate, but can only be fully justified in retrospect, once we have the whole system in view. So even though Fichte retains this commitment to finding a grounding or basis, he also develops a circular method of justification.

possible that this principle will lead us astray. The criterion we begin with must be an expression of the true concept, by which he means that it must be some formulation of a genuine standard. Although the formulation may initially be an inadequate one, we cannot begin by invoking a standard that is thoroughly inadequate. So the question then arises how we can be sure that our starting point is adequate in this more minimal sense and will turn out to have a place in the systematic context to be drawn from it. In the *Philosophy of Right*, the standard in question is what Hegel calls the “free will.” Although our understanding of what constitutes a free will may be initially impoverished, Hegel deems it nevertheless a fruitful point of departure. From it we are able to arrive at a more complex system of normative commitments in virtue of which our attachment to freedom of the will turns out to be justified. So the question can then be put in the following way: how do we know that the standard of the free will has a legitimate place in such a system of right and that beginning with this standard will give us access to it?

Hegel himself offers an answer to this question, but it is one that demands that we accept his philosophical project as a whole. As he puts it, the presupposition of the *Philosophy of Right* is not only that it makes sense to speak of a free will, or that the will is (or can become) free. It makes the more robust assumption that, if we understand what a will truly is, we will see that it is in its very nature to be free, that a “will without freedom is an empty word, just as freedom is only actual as will, as subject” (PR §4A). As Hegel admits, this is a strong assumption to make at the very outset of the *Philosophy of Right*, one whose truth is anything but self-evident. Yet Hegel rejects various standard strategies for justifying this presupposition. He denies that we can derive

freedom by exercising conceptual analysis on the notion of the will, or by looking to our psychological attitudes like regret and guilt, or by simply asserting it as a “fact” of consciousness, all of which he seems to associate with Kant in one way or another. Rather, Hegel claims, “that the will is free, and what will and freedom are – this deduction can only take place... in connection with the whole” (PR §4).

But what he means by the “whole” here is not the *Philosophy of Right* in its entirety. He is rather referring to his *Encyclopedia of the Philosophical Sciences* as the articulation of the whole system, of which the investigation of right forms only one part. He states this quite explicitly in his lectures: “All philosophical science are parts of a large whole. Philosophy has as its object the universal, the absolute. Right is one side of the manifestation of this absolute, of the divine idea” (VPR, 39). In the official text he explains that we need to examine what precedes the introduction of right into his system – such as his discussion of intelligence and practical spirit in his “Philosophy of Subjective Spirit” – in order to find the justification for beginning with the notion of a free will. As he puts it,

The science of right is a part of philosophy... As part it has a particular starting point, which is the result and the truth of that which precedes it and that which comprises its so-called proof. The concept of right falls thus with respect to its becoming outside of the science of right, its deduction is here presupposed, and it is to be taken on as given (PR §2).

Thus it may seem highly un-Hegelian to want to treat the *Philosophy of Right* as comprising an autonomous science that swings free from his broader systematic ambitions. Hegel, after all, believed that there can only be one system, for the possibility of multiple system compromises the very idea of systematicity. If more than one system were possible, then we would have the problem of deciding between them

in a non-arbitrary way. So the only way to ensure non-arbitrariness is to develop a system without competitors. At the same time, divorcing Hegel's science of right from other components of his broader system, which is the subject matter of his *Encyclopedia*, does not imply that there can be multiple *sciences of right*, just as there are multiple ethical theories. In other words, we can still maintain with Hegel that there can only be one science of right – because its method is the only one that is fully suitable to the subject matter – without also accepting his claim that a science of right is as such incomplete. But Hegel clearly indicates that what serves as its point of departure is in fact the result of a prior investigation he has undertaken in the preceding chapters of the *Encyclopedia*. How else can we possibly justify taking the notion of freedom as our standard?

While I admit that there may be limits to the extent to which the *Philosophy of Right* can provide a full vindication of all of its presuppositions, we do not necessarily need a prior demonstration of the concept of a free will in order to be entitled to its employment. There is an alternative strategy available to Hegel, even if it requires tempering some of his aims and undertaking a more modest project. While such a strategy may not be immune to more radical forms of skepticism – which clearly did worry Hegel – it nevertheless makes Hegel's conception of a science of right a more attractive, and probably more plausible, one. This strategy would take a minimal connection between right and freedom for granted, namely that for a principle to be right means that we are free in our adherence to it. This is perhaps not a thesis that Hegel can fully defend within the science of right, but it is not clear that it necessarily needs an independent derivation, for Hegel thinks that the value of freedom is at the very core of modernity and so constitutes an explicit commitment that already informs

our reflective point of departure. We as members of modern ethical life are willing to accept only those principles that can be proven to contribute to self-determination in some way,¹⁷¹ and this is a demand we make on any normative account of right. So to begin with the bare notion of the free will is, according to Hegel, not to invoke a merely contestable prejudice or baseless agreement. It is to take seriously the most fundamental feature of modernity. But to say that we moderns are committed to freedom, and to take this commitment seriously, is not yet to have said anything about the nature of freedom. And so for Hegel the more interesting challenge involves determining how we are to conceive of freedom and what kind of conception we are entitled to presuppose.

III. Abstract Right

It is important for Hegel that the conception of freedom with which we begin be inadequate, since the alternative strategy he favors is closely bound up with his understanding of “dialectic” – a method Hegel already employs in the *Phenomenology of Spirit*, but one he also associates with the *Science of Logic*. At the end of his Introduction to the *Philosophy of Right*, Hegel states in unequivocal terms that this is likewise the approach he is about to apply in the practical context. Although he wants to distinguish his understanding of the dialectic from Plato’s, who (according to Hegel) employed it in an exclusively negative manner, the Hegelian dialectic can also be

¹⁷¹ Hegel leaves open what this connection might be, because for him it can be manifested in a variety of ways. For example, an institution might contribute to our self-determination because participation in it is a precondition for the exercise of freedom, or because participating in it is itself to exercise freedom.

described as proceeding negatively. This is why Hegel frequently characterizes the dialectic with an exercise of skepticism that seeks to criticize a given position by revealing its instability. The reason Hegel ultimately rejects this analogy is primarily because he thinks the dialectic destabilizes certain positions in order to improve on them and so get us closer to truth (*eine Annäherung zur Wahrheit*, PR §31). So its aims are positive, even if it proceeds via a negative route.

It is worth emphasizing that Hegel admits that his project is in many respects a critical one. In other words, although Hegel is interested in ultimately justifying a certain view, this view is not his starting point. Rather, he begins with a view he finds to be deficient and he seeks to arrive at the correct one in part by exposing these deficiencies. So Hegel significantly begins not with a conception of the free will that he wants to defend, but precisely with one he wants to criticize. This should be a somewhat surprising discovery, given that Hegel frequently rejects the critical pretensions he finds among his contemporaries. At the same time, Hegel is not directing his criticism at the principles actualized in the social world. What he is criticizing are in a certain sense these very pretensions. In other words, Hegel's target is the abstractions generated by so-called "philosophical" reflection governed by what he calls the understanding (*Verstand*).

This may come as a surprise, considering that he thinks a science of right must be concerned with the concept (*Begriff*) of right, which he contrasts with the abstractions generated by the understanding.¹⁷² Because a concept in Hegel's technical

¹⁷² "Philosophy has to do with ideas and so not with what tends to be called *mere concepts*, even pointing out their one-sidedness and untruth, such that it is the *concept* alone (and not that which one often hears called that, but which is only an abstract determination of the understanding) that has actuality, and has it in such a way that it gives this actuality to itself" (PR §1).

sense must already incorporate a necessary content, and must already exhibit a kind of actuality or realization in the world,¹⁷³ it may look like we cannot begin a scientific investigation of right until we have fixed such a concept. But this is highly misleading. Even though Hegel wants to identify the concept as his proper concern, we can only arrive at it at the end of his investigation, whereas we must start with the very abstractions he so vehemently rejects. So it is no coincidence that Hegel's starting point is what he calls "*abstract right*."

Abstract right for Hegel is the most minimal conception of the free will, according to which freedom means the ability to pursue one's ends in an unhindered fashion, whatever these ends happen to be. Fred Neuhouser calls this "personal freedom" and stresses that what matters is that I have chosen which ends to pursue, irrespective of my reasons for doing so. Although I am settled with a reservoir of needs and desires, I can decide which among them I will take up. As Hegel puts it, initially I only make reference to myself as an "inherently individual will of a subject" [*in sich einzelner Wille eines Subjekts*] (PR §34). But in order to attain these ends of mine, I require an external world of things that I can turn into an embodiment of my will, i.e. my property. This notion of property introduces a host of other requirements that complicate the picture of freedom at issue in abstract right. First I discover that I need to make reference not only to things, but also to *other wills*, if I am to attain these ends of mine. Simply put, in order for something to count as my property, it must be recognized as such by others. If it weren't so recognized, then this thing would not be

¹⁷³ This is implied by Hegel's insistence that philosophy is concerned only with the Idea (*Idee*), which is supposed to be the unity of the concept (*Begriff*) and actuality (*Wirklichkeit*), whose relationship he compares to that of the soul and the body (PR §1A).

properly mine – or my claim to it would have no real bite. So property presupposes contractual relations in which both party recognize each other's things as belonging to each.

This suggests that “abstract right” quickly surpasses this minimal conception of what constitutes a free will, for it incorporates considerations about what kind of social world such a will would have to inhabit in order to be free in this sense. According to Hegel, actualizing the free will so conceived requires a system of rights that protect the domain of private property within which each individual will can enact his chosen ends without infringing on those of others. So even an internal account of “abstract right” inevitably unravels a more complicated structure of freedom by delineating its social conditions.

But we soon discover a further limitation indicating that abstract right cannot account for freedom through its own resources, even when these resources are developed into a system of rights. At the end of his chapter Hegel argues that contract presupposes “wrong,” and so that a conception of contractual relations must be able to accommodate the possibility breaching their terms. In the case of such a breach, we would need to appeal to a will that can adjudicate between the claims made by the conflicting parties because it itself is not embedded in contractual relations.¹⁷⁴ Another way to put this would be to say that we must be able to make sense of an impartial perspective and that we cannot make sense of it on the model that contract provides.

¹⁷⁴ One of Hegel's targets in this chapter is social contract theory. Hegel argues that we cannot have a contract with the state because then there would be no higher authority to enforce the contract and a contract without such an authority would be empty. Hegel thinks this higher authority must therefore stand outside of contractual relations and first makes such relations possible.

Hegel associates this perspective with justice. Thus he concludes that personal freedom cannot be actualized without morality or “*Moralität*”.

This rough sketch gives some indication as to how it is that we move from one conception of freedom to another, but mainly it is intended to indicate why we begin where we do. The conception of freedom underpinning abstract right is not equivalent to the one Hegel ultimately endorses, though both it as well as its moral successor are meant to be preserved in his fuller account. This conception is inadequate not because it is misguided, but because it captures only one principle of the free will and not yet the whole of right. So in calling it “abstract,” Hegel suggests that it is the most basic picture, one that will first have to be filled in and given a concrete content, a process that will likewise radically challenge the basic tenets of abstract right, notably its self-sufficiency. Hegel also describes such a starting point in various philosophical contexts as “immediate.” In the context of abstract right, this for one refers to the content of the relevant conception, which takes freedom to be a matter of picking within a given set of needs and desires that constrains the range of ends available to us. So what makes abstract right “immediate” is the fact that the needs and desires at its disposal are given by nature, rather than produced or even simply modified by its own free activity.

There is, however, a further sense in which Hegel thinks of abstract right as immediate, for he also thinks that it reflects our ordinary intuitions about freedom, though in a highly distinctive sense. For Hegel abstraction is not merely a problem internal to philosophy, but one that pervades all of modern culture. This is why it makes sense for him to speak of a “culture of reflection”. Although abstraction finds

its purest expression in the domain of philosophical thought, Hegel sees its damaging effects as far more widespread than we might initially suppose. Whether it is philosophy that has infected the surrounding culture, or whether philosophy is nothing but a symptom of what is at bottom a cultural problem, is for Hegel somewhat beside the point.¹⁷⁵ What matters is that our own starting point, not only as philosophers, but also as members of modern ethical life, is already shaped by abstraction to the highest degree, articulated in abstract right.

This blurring of the boundary between what lies within and what falls beyond philosophy has significant implications for Hegel's philosophical method. First of all, if the abstract starting point from which Hegel proceeds is not an exclusively philosophical one, then his critical enterprise cannot be directed exclusively at philosophy's pretensions. Rather, it means that what Hegel is here undertaking is at the same time a form of immanent critique in the strong sense, akin to the sort we explored in the previous chapter. Hegel must likewise be criticizing the forms of abstractions that dominate our ordinary ways of thinking, and not only those within philosophical accounts of right. I will return to this implication below, but for now I want to raise another question about Hegel's broader critical target. If the standpoint of abstract right is in fact our ordinary standpoint, then it looks like no one yet knows the true nature of freedom, neither we, nor the theorists among us. But how is this consistent

¹⁷⁵ Hegel does, however, indicate that he does not think philosophy responsible for the kinds of problems brought forth by reflection. When he cites various dualisms such as that between freedom and necessity, or between law and the heart, he remarks that "these are contrasts [*Gegensätze*], which are not simply invented through a trick of reflection [*Witz der Reflexion*] or through the school lessons of philosophy [*Schulansicht der Philosophie*], but instead the spiritual culture [*geistige Bildung*], the modern understanding, produces this contrast in the human being, which makes an amphibian out of him" (VA, 80-81). I am grateful to Terry Pinkard for directing me to this passage.

with Hegel's repeated insistence that it is philosophy that has to be brought to recognize the very thing we already know and have always known, namely the content of right? How can we both know what constitutes right and at the same time confuse it with a mere abstraction?

I propose that we consider resolving this tension by saying that we once knew what constitutes right and have in some sense forgotten it. Admittedly this may at first not appear to be a promising solution, for Hegel does after all claim quite explicitly that we do know (and have always known) the content of right. But before we simply dismiss this proposal, we should consider that in the *Phenomenology* (even if not explicitly in the *Philosophy of Right*) Hegel does draw an analogy between the task of philosophy and a process he characterizes as "recollection" [*Erinnerung*]. And there seem to be reasons to think that it might be a fruitful analogy in the *Philosophy of Right* as well. For example, it would allow us to make sense of the unusual structure of the work, which starts not by taking our intuitions for granted, but in a sense arrives at them only at the end, once we have entered the domain of *Sittlichkeit* that Hegel thinks best captures our concrete practical knowledge, the kind of knowledge we display in our habitual conduct. Given this inverse structure, it is at least not outlandish to suspect that Hegel thinks we, too – and not only the philosopher under the spell of abstraction – need to be reminded of the true nature of right and that it is his task to remind us of it. So such an analogy would enable us to explain both his procedure as well as the distinctive and indispensable role Hegel envisions for the speculative philosopher. In "making the implicit explicit," Hegel is not merely stating the obvious, he is rather helping us recall knowledge that reflection has effectively obscured. So

even though explicating the implicit need not always require recalling the forgotten, it is the latter that shows why the former activity might be worth undertaking.

But even this proposal does not yet resolve the apparent contradiction, for it still looks like Hegel is saying that we both know and don't know what constitutes right. If it is true that we once knew it and now no longer do, it would no longer make sense to say that we "already" possess this knowledge at the outset of his procedure. One way out of this contradiction is to distinguish between the form and the content of this knowledge. If we pursue this line, we find that the process of abstraction leads to a certain forgetfulness of the form of our knowledge, namely that it is knowledge in the first place. What abstraction obscures is not in the first place *what* we already know, but *that* we already know it. In other words, the rich and varied content of our knowledge is not completely lost, for we are able to competently navigate our social world in a habitual manner and so prove that we are adequately acquainted with the principles at work in ethical life.

The problem arises with reflection, namely, when our ways of justifying our actual principles come to seem insufficiently systematic to us. We come to believe that we must be able to derive the rich and varied content from a single principle that delineates the criterion of right. "Abstract right" is our starting point in the sense that it is both the most dominant, and at the same time the most abstract version of such a criterion. It looks like every aspect of actuality must be justifiable according to the standard set by "abstract right" if it is to count as right, and thus as an expression of the free will. What this means is that, though we are not ignorant of right per se, we have grown doubtful about whether our norms do genuinely constitute *right*. We can be said

to lack a certain kind of self-knowledge, namely knowledge that we do already know.

So Hegel's task of recollection must also be a normative one, for to help us retrieve our ethical knowledge just is to show that is genuine knowledge in the first place.

Hegel articulates this complex task rather clearly in the following passage:

After all, the truth about right, ethical life, and the state is as old as it is known and expressed in the public laws, the public morality and religion. What does this truth further need, to the extent that thinking spirit is not satisfied to possess it in this ready fashion, except also to comprehend it and to achieve for this already in-itself rational content also a rational form, so that it appears justified before free thinking, which does not stop with the given, whether through the external positive authority of the state or through the agreement among human beings, or through the authority of inner feeling and heart and through the witness of the spirit that immediately concurs, but rather which proceeds from itself and thus demands to know itself as most intimately united with the truth? (PR, 13/14)

As this passage explains, Hegel thinks that even though our public and publicly *known* morality is not in need of philosophical revision, it is in need of philosophical justification of a certain sort. And it is such a justification to free thinking that meets the demand for a form of self-knowledge, namely knowledge that we do in fact know the truth about right, though we have forgotten this very fact. In what follows, I want to explore the extent to which an analogy with recollection can illuminate this justificatory procedure. But whatever it is that recollection turns out to be, it cannot be *merely* a matter of retrieving what was already there. Recollection for Hegel always also gives a new shape to its object, one it did not possess before. This means that this self-knowledge, which Hegel also characterizes as rational *form*, is the unique contribution to ethical life that only a philosophical comprehension can make.

IV. Absolute Knowing

Hegel entertains an analogy between philosophical comprehension and recollection or *Erinnerung* in the final chapter of *Phenomenology of Spirit* entitled “Absolute Knowing.” As the title alone betrays, this is one of the least understood and most controversial chapters of the entire *Phenomenology*. Although few agree about what this knowledge consists in, the fact that he calls it “absolute” has to many ears made him sound even more pretentious than any of his contemporaries could ever be. While they may pretend to instruct the world about how it ought to be, Hegel’s pretense seems far worse. He claims to have knowledge that is absolute, which sounds like divine knowledge, or knowledge of the divine.

My interest here is not to give a full explanation of what Hegel means in calling it “absolute,” although I cannot avoid giving some gloss on this term. What I want to focus on is rather how his account of absolute knowing can shed light on what he takes philosophical comprehension to be. And given that he identifies absolute knowing as the transition from the various configurations of spirit to the domain of science, we have good reasons to suspect that this chapter can provide some insight into Hegel’s broader conception of philosophy and its relation to our actual principles. But it may seem strange to look to the *Phenomenology of Spirit* for a statement of Hegel’s meta-philosophical commitments, given that Hegel differentiates the aims of this work from those of science proper. The *Phenomenology* is widely taken to be a kind of introduction or prolegomena to the system, which begins with the *Science of Logic*. Nevertheless, I hope to show that there is some methodological continuity between the *Phenomenology*

and at least one part of the system, namely the *Philosophy of Right*, and that this continuity is best captured by the term “recollection.”

As perplexing as this chapter may be, Hegel explicitly states that absolute knowing refers to a certain form of self-knowledge – spirit knowing itself as spirit (*der sich als Geist wissende Geist*). He also states that this self-knowledge was the aim all along, an aim that was guiding the various transitions we have been tracking so far. This is something he already announces in the Preface, where he claims that spirit’s self-knowledge would complete the formative process under scrutiny, and that this process is nothing other than the becoming of science [*das Werden der Wissenschaft*] (PG §27 & 28). This has significant implications for the role of philosophy according to this account. It means that Hegel does consider a scientific or philosophical grasp of our own *Bildung* as likewise marking its completion. In other words, it is only a philosophical science that can bring our formative education to an end. This certainly sounds like a significant task indeed!

So the question we need to ask is what is still missing from the formative education we have presumably undergone such that it requires this further step, one that only a science can provide. In order to address this question, I want to take up a characterization of absolute knowing that has received relatively little attention. Although it is difficult to avoid this characterization altogether, given its significant place within this chapter, few have ventured to delineate its function in any detail. At the end of this chapter, Hegel describes absolute knowing as something we achieve through the process of “recollection.” He writes, “The goal, absolute knowing, or spirit that knows itself as spirit, has as its path the recollection of spirits as they are in

themselves and as they accomplish the organization of their realm” (PG §808). Again, this is something he already announces in the Preface, where he identified recollection as the process whereby being-in-itself turns into being-for-itself, i.e. whereby we become self-conscious of something that was already true of us (PG §29). Although there is a sense in which this could characterize the entire development that the *Phenomenology* tracks, when Hegel speaks of recollection, he does not have the whole *Bildungs*-process in mind. Rather, Hegel suggests that there is a different kind of process that can begin only once *Bildung* proper is complete and that at the same time completes it.

One way Hegel puts this is to say that the *Bildung* we have been tracking so far has been a process of externalization, of spirit taking an outward form and expressing or manifesting itself in the world. This aspect is already captured in the title of the work. Hegel explains that he chose to call this a *phenomenology* because its subject matter is the appearance of knowing, namely the concrete practices that various conceptions of knowledge have adopted in their efforts to actualize themselves. These appearances are initially inadequate, but at the end of this process we do arrive at a point at which the persistent disparity between such conceptions of their externalizations vanishes, and we are able to adequately grasp, and so adequately express, what knowing consists in. This is the point that Hegel characterizes as absolute knowing.

But for Hegel it is not enough that we have now as a matter of fact overcome the contradictions that plagued previous configurations and that we are thus able to adequately externalize our self-conception within giving rise to ineradicable disparities. Rather, he suggests that the completion of this process is now in need of another

movement, one of running through its entirety again in order to “internalize” it. The problem is that, even once we have undergone the practical *Bildungsprozess* that the *Phenomenology* describes, its content is still not completely our own, for it has not yet shown itself to be rational, and thus justified. What it lacks is a fitting form. So we have to first repeat this whole development in thought in order to take full possession of it, to make it completely our own. This retrospective repetition is what Hegel calls *Erinnerung*. In his words: “In the immediacy of this new existence spirit has to start afresh to raise itself to maturity again, as if for it all that preceded it were lost and it had learned nothing from the experience [*Erfahrung*] of the earlier spirits” (PG §808).

“But memory or inwardizing [*Er-Innerung*] has preserved it” (PG §808). In other words, what makes this retrospective repetition possible in the first place is the fact that we have in a sense retained the content of this development process. Although Hegel does not cite Plato in this context, he seems to have his doctrine of recollection in mind. This doctrine states roughly that we never acquire new knowledge, but that all learning is really a matter of remembering what we once knew and have since forgotten. In the *Meno* Socrates invokes this doctrine in order to explain what looks like a paradox. How can you inquire into something you do not already know? Either you know it, in which case you have no further need for inquiry, or you do not know it, in which case you cannot get any inquiry off the ground. Socrates attempts to solve this paradox by proposing that the soul is immortal and so has previously seen all those things that it appears to be encountering for the first time. He famously demonstrates this by teaching the slave geometry through questions that elicit and awaken what looks to be knowledge the slave must already possess.

Hegel of course does not inherit the metaphysical account that seems to be at the bottom of Plato's doctrine, and he does not employ the notion of recollection to argue in favor of the immortality of the soul. Nevertheless, he is interested in Plato's suggestion that we already possess the very knowledge we appear to be learning for the very first time. The significant difference, it seems to me, is that for Hegel this process of recollection is more than one of unburying what was there already. Rather, this process contributes a new form to this knowledge, a form that is meant to fortify it in a certain way. He articulates this double-aspect of recollection in a telling passage:

Though on the one hand the first appearance of a new world is at first a whole veiled in its simplicity or the universal ground, so on the other hand is the richness of the previous existence still present in memory (*Erinnerung*) for consciousness. It misses in the newly appearing configuration the expansion and differentiation of content; but even more does it miss the development (*Ausbildung*) of form, whereby the differences are determined with certainty and are ordered in their stable relations (PG §13).

As this suggests, recollection for Hegel is a process that depends on memory, on the preservation of the content that *Bildung* has gradually acquired in its unfolding. To be more specific, each new generation approaches the world as if it were newly given, rather than the product of the work exerted by prior generations. So even though the newcomers in a sense inherit and so retain the achievements of their predecessors, they do not as yet recognize the extent of their indebtedness. So what exactly is it that they are missing? On the one hand, Hegel describes it as an impoverishment of content, namely the forgetting of its "expansion and differentiation." But on the other hand, he emphasizes that what is really needed is the *Ausbildung der Form*, "whereby the differences are determined with certainty and are ordered in their stable relations".

One way to explain what this might mean is by way of Plato's *Meno*. This dialogue begins with Meno asking about the source of virtue, whether it is acquired by teaching or practice, or by nature, and Socrates responds that we first must be able to figure out what virtue is before we are in a position to determine its source. After Socrates questions Meno's various attempts to give an account of virtue, he notes that Meno seems thoroughly confused and that this may have something to do with his questioning. He explains, "I perplex others, not because I am clear, but because I am utterly perplexed myself. And now I know not what virtue is, and you seem to be in the same case, although you did once perhaps know before you touched me".¹⁷⁶ This suggests an alternative explanation of why we forget and are in need of recollection. We forget perhaps not at the moment of birth (or rebirth, in this case, since according to Socrates we pass through multiple lives), but at the moment at which Socrates enters the pictures and asks us to reflect on what we knew perfectly well prior to this encounter.¹⁷⁷

As we will see, there is something similar going on in the *Philosophy of Right*, where we lose sight of the content of right once we succumb to the lure of abstraction best embodied by what Hegel calls *Reflexionsphilosophie*, but is certainly not limited to it. What I want to draw attention to at this point is the task that Hegel assigns to recollection, given this source of forgetfulness. Its primary aim, as the above passage

¹⁷⁶ Plato, *Meno* 80d.

¹⁷⁷ This is of course not Plato's own diagnosis of the source of our forgetfulness. What Socrates reveals is rather that what we thought we know prior to this encounter we did not in fact know at all. So Socrates is doing us a service by exposing our ordinary ignorance, which tends to make us dogmatic and prevents us from engaging in inquiry (i.e. recollection) in the first place.

suggests, is not first and foremost to recall the content that has been stripped of its expansiveness and differentiation, although that too. It is to develop a form among our various pieces of knowledge, namely a form that orders this knowledge in a certain way. This is perhaps why the term “recollection” is even better suited than its German equivalent, *Erinnerung*. While *Erinnerung* does have connotations of internalization and appropriation, it lacks the aspect of collecting, and more specifically *ordering*, that seems to be contained in Hegel’s notion.

This function is vividly illustrated in the *Phenomenology of Spirit*, where the content at issue is the historical process that spirit has undergone. As Hegel explains in the final chapter, the process of externalization has been a “slow movement and succession of spirits, a gallery of pictures,” which precedes absolute knowing and of which we now must make retrospective sense. Although this gallery at our disposal follows a certain historical movement and succession, Hegel thinks that philosophy must reorganize these various “spirits” in order to give them a rational form. This involves laying them out in such a way that we can see the transitions from one spirit to another as a rationally necessary one, namely a superior solution to the problems that emerged internally to the previous configuration. Thus it is no surprise that the order we see in the *Phenomenology of Spirit* is not strictly speaking a historical one, and that Hegel is perfectly comfortable skipping certain historical spirits altogether, and more often presenting them in a succession that departs from the one in which they initially unfolded. In this way Hegel is able to lend coherence to our historical development. What we find in this work is not a strict chronology, which might include all kinds of

haphazard shifts, false starts, and regresses, but a story that shows our history to be a learning process that ultimately justifies where we currently are.

So the aim of the retrospective procedure is not to generate new content, but to establish rational and systematic connections within the manifold content at hand. But as the above passage likewise suggests, its aim is not exactly to impose new connections, but to give certainty and stability to those connections that this content in some sense implicitly contains. So Hegel does not take himself to be telling an entirely new story of our history, but to show the kind of rational development that is in a certain respect already its own. So the pressing task is first and foremost one of strengthening these connections by making them explicit.

This aspect of recollection bears in many respect on Meno's own problem, which was not only that he lost sight of virtue as soon as he was "touched by Socrates," but that he was susceptible to the kind of instability that Socrates' questions inevitably inspired. Although Plato himself does not suggest that recollection has a fortifying function,¹⁷⁸ this turns out to be a significant aspect of Hegelian recollection. According to Hegel, to recollect what we already in a sense know – because it lies buried in our memory – is to retrieve not only a richer content than is currently before our eyes, but also to order this content into a system capable of warding off the destabilizing influences of skepticism. As I mentioned above, Hegel held that only a complete

¹⁷⁸ Within Plato's metaphysical picture, recollection can only ever be an impoverished retrieval of the kind of knowledge we possessed when we actually encountered the forms directly. Whatever we may be able to recollect within our embodied lives will fall short of this perfect knowledge we can only ever approximate. I would like to thank Oksana Maksymchuk for pointing this out to me.

system could ward off this influence altogether. Nevertheless, even partial systems are able to stabilize our knowledge by collecting its various parts into an ordered whole.

But before we turn to the *Philosophy of Right*, it is worth remarking that it is no coincidence that the model of recollection emerges explicitly in Hegel's account of absolute knowing. Earlier I suggested that absolute knowing is not really knowledge of some object, but rather a kind of self-knowledge. This means that this chapter is in the end focused less on the historical content that has unfolded in this work, although Hegel does give a brief recap of this unfolding. Rather, absolute knowing can be described as knowledge of what it is to know.¹⁷⁹ To put this in very broad terms, what we come to know is not *what* the correct and indubitable criterion of knowledge must be, the one that we can guarantee will not fall prey to the same contradictions we witnessed before, but *that* the very criterion of knowledge is fully internal to the activity of knowing. In other words, what we realize is that our epistemic practices are self-sufficient and need not appeal to anything outside themselves in their justificatory procedures. This was true of knowing all along, but it is only at the stage of "absolute knowing" that it becomes adequately transparent to us knowers. It is for this reason that absolute knowing constitutes a form of self-knowledge and in calling it "absolute," Hegel has this very self-sufficiency in mind.

All of this is relatively uncontested, especially among those who read Hegel as a non-foundationalist.¹⁸⁰ Nevertheless, there remains a host of questions about the

¹⁷⁹ Hegel states this in the Preface when he claims that "the goal is the insight of spirit into that, which knowing is" (PG §29).

¹⁸⁰ See for example David Stern (1990). In this paper Stern argues against the traditional foundationalist reading of "absolute knowing," according to which the identity of subject and substance means a collapsing of substance into subject, which the subject serving as the foundation of substance. Stern proposes a non-

implications of this self-sufficiency for Hegel's epistemology and metaphysics. Since Hegel characterizes such self-knowledge as the discovery of the identity or unity between subject and substance, it is not immediately clear whether this is meant to collapse the very distinction altogether, and even if so, which side takes precedence – subject or substance. Moreover, there is the worry that this picture makes cognition unresponsive to experience, a “frictionless spinning in the void”,¹⁸¹ swinging free from any constraints imposed by the world. If this is true, how then can we ever revise our claims to knowledge? Hegel of course has a lot to say about the revisability of our claims, and he does not think such revisability needs to appeal to resources that lie beyond our practices themselves, even if it does involve experience in his distinctive sense. But my interest is not to address this worry in such broad terms, or to defend Hegel's thesis about knowledge in general. Rather I want to turn to the relevance of this kind of self-knowledge for Hegel's account of ethical knowledge in particular. So now I want to return to this distinctly practical context and consider the extent to which this model of philosophical reflection represented by recollection can help us determine the aims and means of Hegel's project in the *Philosophy of Right*.

V. Recollecting Right

In what follows I want to explore two ways in which Hegel's procedure in the *Philosophy of Right* mirrors that in the *Phenomenology*. First of all, both are supposed to be

foundationalist reading according to which Hegel is merely positing the inderdependence of objectivity and subjectivity, and not a collapsing of the former into the latter.

¹⁸¹ This phrase is associated with McDowell (1996).

justificatory in some sense, for by imposing a certain systematic structure on the relevant content, they show this content to be rational. This seems to be true even though the two texts differ in terms of content. Secondly, what they ultimately seek to justify is not first and foremost a given set of normative standards, but our practices of determining normative standards in the first place. It is important for Hegel that these practices remain open-ended. As we will see, this does indicate an important difference between his project and that of traditional theorizing. Even though Hegel is also engaged in a form of rational evaluation, he acknowledges the limit of any such evaluative procedure, including his own, which turns out to have something to do with its indebtedness to (historical) experience.

At first sight it may seem rather odd to compare Hegel's method in the two texts, and especially to invoke the notion of "recollection," given that the *Phenomenology* deals explicitly with a historical content, whereas the *Philosophy of Right* lacks a focus on history. In the chapter on "Absolute Knowing," Hegel makes clear that what is being recollected in this work is the historical unfolding and development of our epistemic criteria. Of course this does not mean, as I have already pointed out, that Hegel is providing nothing but a historical narrative, especially since retelling our own history is supposed to serve the normative end of justifying the criteria we do currently uphold. Nevertheless, much of the content of this work is undeniably culled from history.¹⁸²

¹⁸² It is by now very popular to argue that the *Phenomenology of Spirit* only appears to be concerned with history, but is in fact more akin to a transcendental argument that investigates the kind of presuppositions at the basis of our normative commitments. See for example Pippin (1989) and Forster (1998). Although it is true that the first few chapters of the *Phenomenology* seem to have relatively little connection to real historical epochs and worldviews, I do not agree that this means that the *Phenomenology* does not concern itself with a historical, and thus practical, unfolding.

The *Philosophy of Right*, in contrast, does not seem to be offering a historical narrative in the first place. This is only partly true, since Hegel does associate the various conceptions of right (abstract right, morality, and ethical life) loosely with various historical epochs. But since history is not in the foreground, in what sense can his method in the *Philosophy of Right* be regarded as a form of recollection?

Even though offering a historical narrative looks more obviously like an instance of recollection – because what you are recollecting is something you have in a sense already undergone and retained in at least a “collective memory” – I want to suggest that for Hegel, recollection is first and foremost the very movement from the abstract to concrete. This movement characterizes the structure of the *Philosophy of Right*, which begins with “Abstract Right,” but it also characterizes the structure of the *Phenomenology*, which after all also proceeds from what Hegel identifies as the most minimal and impoverished account of knowing: “Sense-Certainty.” In other words, what we are recollecting is not already before our eyes in all its richness. Rather, the rich content must first be retrieved. But as I pointed out, in retrieving this multifarious content, we are simultaneously drawing out the systematic connections between the various parts, thus imbuing it with rational form. Both for Hegel happen simultaneously, for it is not as if we have the content fully laid out before us and now need to do no more than systematize it. Nevertheless, there is a sense in which we are already acquainted with this rich content, for we exhibit it and appeal to it all the time whenever we participate in our practices in less reflective ways.

Given this basic outline of recollection, it is not difficult to see that something quite similar is taking place in the *Philosophy of Right*. There Hegel starts by taking up a

normative commitment that we do explicitly espouse and proceeds to show us that this commitment is only one part in a broader network of principles. So our starting point is abstract because it is a mere part of a whole, and what needs to be retrieved is the very whole within which it is properly situated. In the context of the *Philosophy of Right* Hegel's critiques of abstract right and of morality are meant to show these conceptions of freedom are partial, rather than complete misguided. What this means is that their legitimacy is contingent on their connection to other forms of freedom, which they themselves do not explicitly acknowledge. In this way Hegel uses them as springboards to these latter forms as well, in this way reminding us of the broader system of right we inhabit and navigate. This illustrates one way in which the movement from the abstract to the concrete is also a movement of recollection, even when its content consists of forms of freedom that coexist in modernity, rather than forms that have been espoused and abandoned in our historical development.

What still needs to be explained is how Hegel intends to get there, namely, what specific shape this movement of recollection is supposed to take and how it is supposed to serve Hegel's justificatory ends. Even if both are engaged in modes of recollection, how close is his procedure in the *Philosophy of Right* to that in the *Phenomenology*? I want to address this question by considering a proposal advanced by Mark Tunick, who draws an overt analogy between the two. He offers what I find to be a very helpful characterization of their common aim, arguing that "as we progress, each new theory approaches asymptotically the actual world, encompassing more and more of its complexity and detail, accounting for more of our actual commitments".¹⁸³

¹⁸³ Tunick (1994), 324.

But problems for his interpretation arise when he attempts to characterize this procedure itself. According to Tunick, the two methods resemble each other insofar as both are “phenomenological,” by which he means that they proceed via experiences of subjective satisfaction or dissatisfaction with various accounts. According to Tunick, it is such experience that moves us from the abstract to the concrete and thus allows for the transitions that get us from “Abstract Right” to “Ethical Life.” The most complete account, on this reading, is the one “that does not leave us in contradiction with ourselves; for we already live objective spirit, we are it, we know it implicitly...we will experience the incompleteness of any account that is not concrete enough, for in the reality portrayed in such an abstract account we will not be fully at home”.¹⁸⁴ Thus he calls the method in the *Philosophy of Right* no less a “dialectic of experience.”

I agree that experience plays some role in this context, a role that remains to be specified. But I also think that there are limits to the extent to which the structure of the *Philosophy of Right* can rightfully be called a “dialectic of experience.” It is worth pointing out that there are different senses of experience relevant here that Tunick does not adequately distinguish. One is experiences of satisfaction or dissatisfaction, which seem to be subjective and which are, according to Tunick, supposed to provoke the transitions from one conception of right to another. But the *Philosophy of Right* cannot be a “dialectic of experience” in this sense, for Hegel would never make the transitions themselves contingent on something like subjective feeling. In other words, it cannot be true that Hegel is appealing to the assent of the reader or his ability to identify with

¹⁸⁴ Ibid, 322.

the account as a criterion of its truth. Hegel even admits that his readers will resist this identification because the account he is giving conflicts with “public opinion” and so will strike many as counter-intuitive, despite the fact that it does justice to our intuitions at some deeper level. But even if the transitions from one account of freedom to another are generally accompanied by experiences of satisfaction and dissatisfaction, the success of the method cannot hinge on such experience, for that would make it more arbitrary than those of his critical targets. And we know that Hegel’s primary concern was to develop a method that would be beyond dispute.¹⁸⁵

Tunick also invokes another sense of experience when he speaks of the actual commitments that provide the background against which we evaluate the various accounts. In this context he is speaking of the experience we have as those who inhabit *Sittlichkeit* and are implicitly familiar with its broader structure. This does presumably give us a certain reservoir of empirical knowledge that is relevant to Hegel’s method. For example, if Hegel is assessing whether a certain principle can be actualized, he clearly takes for granted *some* background experience that allows us to entertain in thought what such actualization would entail. As we will see, Hegel is primarily concerned with the requirements of actualization. This means that, if I didn’t know anything at all about, say, the nature of property, I would probably not be able to begin evaluating abstract right. I also need to know something about human beings, about their desires and aspirations, in order to consider the applicability of a given principle to

¹⁸⁵ I should add that I have doubts about whether this is the best way to characterize the transitions in the *Phenomenology* itself. Even though Hegel thinks we did experience certain configurations of consciousness to be unsatisfactory, we can rationally reconstruct the movement from one to another as rationally necessary, and not merely subjectively more compelling. So even though the *Phenomenology* does track a kind of experience, it is not experience in this sense.

their behavior. But these are still far more minimal ways of understanding background experience than the one Tunick invokes. Even if Hegel's method assumes that we have some empirical knowledge about the relevant social institutions and their members, we must be careful to avoid concluding that such experience provides the criterion of its success.

First of all, it cannot be true that Hegel is starting with experience in this sense, for this would be like presupposing the legitimacy of our ordinary intuitions – something Hegel thinks we are not entitled to do. The problem is not just that Hegel wants to persuade even those who do not already inhabit ethical life of its validity. It is that Hegel thinks even those who inhabit ethical life do not have its normative structure fully in view. According to Tunick, abstract right provides an inadequate account of social reality because it excludes ethical commitments, and since we have such commitments, we will experience this account as inadequate. But this would mean that Hegel's method could succeed only if we know that we have ethical commitments and admit that these are inadequately represented by more abstract accounts. As Tunick puts it, all we need in order to see this inadequacy is “introspection and the invocation of ungrounded views we already hold and which serve as touchstones for moral deliberation”.¹⁸⁶ But if these “ungrounded views” are not transparent to us, we cannot simply access them through introspection.

There is a third sense of experience that is relevant here, even though Tunick makes no overt reference to it. When he says that we “experience” abstract right as

¹⁸⁶ Tunick (1994), 325.

unsatisfactory, he clearly does not mean that we tried it out in practice and it didn't work. So the practical experience of attempting to live out these accounts cannot be a requirement for Hegel, the way it seems to be in the *Phenomenology of Spirit*, where we are tracking the practical experience of various historical societies and rationally reconstructing those real successes and failures. But in the *Philosophy of Right*, the experience at stake is not that of living out an account, but that of following out a train of thought. This means that the movement is primarily a conceptual one, because it involves thinking through a certain account.

It is, however, not a purely conceptual one, for what we are thinking through are the requirements for *living* out such an account. In other words, we are to consider what it would take to actualize this conception of freedom, and as it turns out, actualizing even the most minimal conception takes for granted resources that far exceed it. Our ability to make those transitions does, in this respect, presuppose some knowledge gleaned from experience. But what ultimately make the transitions necessary are the kinds of contradictions that emerge at the conceptual level. These differ from the practical contradictions we previously discussed, those that compel a community to revise its practical norms, primarily because they need to manifest themselves in practice. But structurally they do resemble those contradictions as well, for any community that should try to live according to nothing but the principles internal to abstract right, for example, would inevitably encounter the very same problems that make a form of life unsustainable. Nevertheless Hegel does not think we need to wait until this happens, and thankfully even we moderns have never been so limited, no matter how abstract our self-conceptions tend to become.

So one aspect to be considered are the requirements for actualization, namely, what it would take to live out a certain conception of freedom. But this for Hegel is also to consider the requirements for *determinacy*, namely, whether a certain conception of freedom provides us with sufficiently determinate norms that make it actual-izable. We have seen this to some extent in the context of abstract right, where abstract right lacked the principles needed for a just adjudication of contract. But we see this even more clearly in the transition from morality to ethical life. Hegel considers “conscience” the highest articulation of the account of freedom represented by the standpoint of morality, according to which right, or in this case *duty*, is determined by the formal principle of the subjective will. In other words, conscience takes itself to be the sole authority in the determination of duty, and according to this account, I ought to do only that which is issued by my own heart. But because conscience takes nothing but its own willing as authoritative, it cannot in principle attain the kind of objectivity contained in the very concept of right, which it clearly does seek. If my sole criterion of duty is that I will it so, then I lack any way of distinguishing right from wrong – or genuine duty from mere opinion – in the first place. Thus Hegel famously accuses conscience both within the *Philosophy of Right* as well as in the *Phenomenology* of becoming evil because of its inability to keep good and evil conceptually apart. As he puts it, “Conscience as formal subjectivity is simply to be on the verge of reverting into evil” (PR §139).

When Hegel lays out his criticisms of the moral standpoint, he repeatedly refers to it as far too abstract to be capable of generating *determinacy*. As he puts it,

For the good as the substantial universal of freedom, but as still abstract, determinations in general as well as the principle for determining them (though a

principle identical with the good itself) are still required, just as for conscience, as only the abstract principle of determining, the objectivity and universality of its determinations is required. Both, each having elevated itself to an independent whole, become the indeterminate which *ought* to be determined (PR §141).

What Hegel means is that the kinds of principles to which this account of right confines itself are unable to delineate right from wrong. But we can see that in this charge Hegel is not merely faulting conscience with excessive abstraction, for it is true that the standpoint of conscience is avowedly a purely formal one. The problem it encounters is that it cannot even generate a coherent notion of right in the first place. Indeterminacy for Hegel does not yield a merely thin content, but no content at all. In other words, Hegel thinks that if we take seriously what it would mean to apply the criterion of conscience, we discover that its application contradicts its expressed aims. So in this way Hegel is assessing the extent to which conscience can be actualized precisely by assessing its conceptual resources for such an actualization.

But while the above example illustrates the critical side of Hegel's method, it does not yet explain how we are supposed to think our way out of the given conception and into another. Even if we concede that Hegel criticizes the account of conscience on rational grounds, what makes the transition to ethical life a rational one? Although Hegel is pointing to a certain contradiction internal to a given account that renders it indeterminate, or inapplicable, this does not mean that one side must give way to the other. In the contradiction between conscience and the good, what we discover is that both are essential and there is no rational way to choose between them. So for Hegel the only way to overcome the contradiction is to treat each side as a mere moment that is, independently of the other, one-sided. Now we can begin to see how this paves the

way for “Ethical Life.” As the unity of conscience and the good, “ethical life is a subjective disposition [*Gesinnung*], but of what is in itself right” (PR §141). In other words, Hegel regards ethical life as a structure of concrete principles that can genuinely draw distinctions between right and wrong, but that likewise grants a corresponding insight into the legitimacy of these principles.

Of course this general description of ethical life is at this point still a mere sketch. Hegel still needs to outline the structure of ethical life in order to show that it is sufficiently complex to avoid a similar charge of indeterminacy.¹⁸⁷ It is nevertheless a crucial step in Hegel’s method, for it marks the transition from the primarily critical side of the procedure to the positive project of the science of right. Although we have now entered the domain that is supposed to correspond to our ordinary ethical knowledge, Hegel thinks that it is only now that we are entitled to it. As he states in unequivocal terms at the end of the morality chapter, “that this idea is the truth of the concept of freedom, this cannot be something presupposed, whether taken from feeling or elsewhere, rather – in philosophy – can only be something proven [*ein Bewiesenes*]. This deduction of [the idea] is contained only in the fact that [abstract] right and moral self-consciousness show of their own accord that they regress to it as their result” (PR §141). One might say that it is out of an immanent critique of the abstract philosophical accounts that we can earn the right to our pre-philosophical intuitions. But since these abstract accounts have gripped our public imagination, this immanent

¹⁸⁷ I should add that I think this structure is still underdetermined, although not indeterminate. So when Hegel claims that Kant’s moral theory cannot provide an “immanent doctrine of duties,” he is not suggesting that his science of ethics has such a doctrine to offer. According to my reading, the rational structure of ethical life underdetermines our particular ethical duties, but it is determinate enough to restrict what can count as a duty in the first place. This is a reading I advocate in the second chapter.

critique is likewise a return to those very critical resources we forgot we have been making use of all along.

If we regard this movement from the abstract to the concrete through the lens of recollection, we are able to make sense of such a complicated mode of criticism in which Hegel is engaged, one which simultaneously targets both philosophical abstractions as well as public opinion, all while maintaining that we already possess adequate ethical knowledge. We are also in a position to shed some light on Hegel's broader aims. Above I suggested that there are two sides to recollection, insofar as it contributes to the attainment of what Hegel controversially calls "absolute knowing." On the one hand, it is a process of retrieving knowledge that we in some respect already possess, but do not recognize to be an instance of knowing. We both recall this knowledge and vindicate its status as knowledge by imposing a rational or systematic structure on its content. It is a structure that is to a certain extent implicitly possesses insofar as it lends itself to systematic reconstruction, but it is a structure that must nevertheless first be explicitly drawn out in order to fortify it against the lure of abstraction and its skeptical aftermath.

I want to conclude by noting that this process is not merely one of vindicating our intuitions, so to speak, by regressively situating them within a systematic whole. It is also one of vindicating our reflective practices through which we determine what is to count as knowledge and what is not. Hegel takes himself to do so precisely by showing them to be sufficiently malleable to revise these intuitions. As we have seen, this is what makes recollection a means to absolute knowing, for absolute knowing is knowledge that knowing is an absolute and thus self-sufficient activity. *The Philosophy of*

Right is sometimes criticized for failing to retain this sense of open-endedness that the *Phenomenology of Spirit* promises, because it seems to be in the business of demonstrating the rationality of certain conceptions of freedom once and for all. But I think it would be a mistake to conclude that Hegel rules out the possibility of revising even the very normative criteria he is here trying to justify. This is already something he suggests in one of his lectures on the *Philosophy of Right*, where he offers a striking variation on his *Doppelsatz*, stating that “what is actual becomes rational and the rational becomes actual”.¹⁸⁸ There he is not vouching for a certain conception of freedom, but for the very movement from one conception to another. In other words, what makes actuality rational is its ability to revise itself through its own means.

Although I did not stress this characterization, there is a sense in which the task of recollection bears on the one Hegel officially assigns the scientist of right – reconciliation. As I mentioned, Hegel’s remarks about reconciliation are frequently read as evidence of his normative aspirations, where the next question to ask is what actuality would have to be like in order to merit our reconciliation. But if we think about reconciliation in relation to recollection, we find that the story Hegel is telling is not as direct as this suggests. His reveals that we are alienated not in the first instance from actuality, but from ourselves, more specifically our practical selves. This is in turn to be alienated from actuality, namely, from our actual principles, those we actually live by. What makes Hegel’s story an indirect one has to do with his acknowledgment that these principles are not initially before our eyes. We are alienated from them precisely

¹⁸⁸ See Wood (1990), 13.

because we do not recognize the extent to which we are committed to them, and the extent to which they do inform what we do. So recollection does serve the ends of reconciliation by allowing us to get a clearer view of ourselves as active participants in the social world. In doing so, it also demonstrates that our form of ethical life is rational because it is self-sufficient, replete with all the resources its members require to overcome its own shortcomings. This is, however, not something we can know, or be *sure* we know, without the help of philosophy.

Conclusion

There have been several questions directing this study, questions invited (though not always asked) by Hegel's own account of modern ethical life. The first concerns the threat of blindness and the presence of insight even in unreflective action. I hope to have shown that the habit of the ethical, according to Hegel's conception, accommodates such insight and moreover heightens it by lending it a reliable form. In this way habit is not at odds with the standard of knowledge introduced by the requirements of subjective freedom. It is even an expression of knowledge that is more subjectively free than its reflective counterpart, one that has yet to fully incorporate the principles to which it is supposedly committed. This suggests that habitual action need not be blind, even when it is unreflective.

The second question concerns the compatibility between our unreflective and our reflective attitudes. This is perhaps the easier question to answer, because there is little to suggest that Hegel deems them incompatible, even if it is true that we frequently cannot exhibit both attitudes at once. Habit according to Hegel first puts us in a position to reflect because it introduces the needed distance to our own determinations, but it is not the only mode of engagement open to us within the social world. In fact, Hegel thinks that creatures who are thoroughly habituated tend to grow indifferent to the very principles to which they are supposedly committed. Habit enables this commitment, but it can also squash it, too. This means that more robust forms of reflection must be a part of social participation, even of participation that looks at face value to be in the service of perpetuating inherited customs. Simply put, even reproducing a culture involves evaluating the culture one is reproducing.

This question about the compatibility between our reflective and our unreflective attitudes was lurking in the background of the first two chapters, although it was never my focus, mainly because I could not see its force. The third question concerns the possibility of adopting a distinctly critical attitude toward core features of modern ethical life, one that is not simply evaluative, but that goes so far as to object to elements of the social world and judge them to be inadequate. This question is more difficult to answer, because Hegel himself does not seem to account for this possibility, not because he wants to exclude it on principled grounds, but because he has confidence in the resilience of modern ethical life. His confidence derives not only from observing the social world and noting its striking stability, but also from investigating its very structure and discovering that it incorporates a remarkable flexibility as well.

In fact one of my main aims has been to show that Hegel cannot have principled grounds for foreclosing the prospect of social change. I argued for this from two angles. The first arrives at this conclusion by considering the nature of critique and examining its dependence on experience. What we find is that critique must await the continued unfolding of experience, since it cannot always anticipate the practical contradictions that anchor it. The second arrives at this conclusion through the lens of the scientific method. Although this it is not something I stressed in my treatment of philosophical reflection, it is worth noting that such reflection remains indebted to experience for similar reasons as the critical variety. On the one hand, Hegel does think that we can *think through* the requirements for actualization and in this way evaluate a given principle, even if we stop short of actualizing it in practice. This is his own strategy for justifying modern ethical life in the *Philosophy of Right*. The key, however, is that such a justification remains no less provisional than the deliverances of critique.

In the end we need to reconsider the dependence of science on experience. What we will discover, I think, is that there is a significant place left for experience in the *Philosophy of Right*, even if this text is not explicitly tracking such experience, and even if Hegel does not refer to it as “experience”. In the last chapter of this text Hegel claims that it is world history, so history as a whole, that issues the final verdict of ethical life. As he puts it, “World history is a court of judgment because, in its *universality* which has being in and for itself, the particular... is present only as *ideal*, and the movement of spirit within this element in the demonstration of this fact” (PR §341). I read this a concession to the open-endedness of ethical life and an admission

that not all of its flaws will be visible to us until we try to live out our commitments and run into the kinds of practical contradictions that may require revision. As we have seen through the example of poverty, these practical contradictions may take time to surface.

Since Hegel stresses that philosophy cannot leap ahead of its own time, is not difficult to see that this would have significant implications for its capacity to justify ethical life as it is. Sometimes he characterizes the perspective of philosophical reflection as retrospective, surveying our historical development. But in the *Philosophy of Right* he characterizes it as even more firmly rooted in the present. “As far as the individual is concerned, each is in any case a *child of his time*; so philosophy, too, is *its own time grasped in thought*” (PR, 26). Interestingly enough, Hegel associates the effort to leap ahead of one’s own time with that of constructing a world as it ought to be. What he means, I take it, is that a philosophy that is sufficiently self-conscious of its historical situation will not make such pronouncements – not because it has nothing to say about normative matters, but because it will recognize that there might be more to say about them down the line, when we have had even more experience than we currently do.

So this perspective of world history as the ultimate court of judgment is a different one from the perspective Hegel as philosopher occupies. This means that whatever verdict of ethical life he may dispense could become trumped by the verdict of an even higher court. So we might say that the perspective of world history serves as a placeholder for the standpoint of the system as a whole, one of which even philosophy ultimately falls short. Philosophy has the important task of systematizing and in this way vindicating what we know, but Hegel suggests that all philosophical

justifications are doomed to remain provisional simply because we cannot always tell in advance which among our principles are going to stand the test of time.

Apel calls this the aporia of philosophy, for philosophy so conceived has nothing to tell an agent engaged in deliberation, so someone who must regard the future as lying open to him.¹⁸⁹ But this is not necessarily a shortcoming. Hegel as I read him does not think philosophy needs to be able to peer into the future in order to be of value. We as participants in modern ethical life are perfectly capable of coping with experiential challenges as and when they arise. Rather, philosophy's practical import is to give us confidence to embrace our normative resources whenever we do deliberate from the standpoint of "our finely situated hermeneutic understanding of the world".¹⁹⁰ So Hegel the philosopher is engaged in a reflective project that is simultaneously more modest and more ambitious than most. Even if it cannot have the last word on which principles we ought to live by, he thinks that his *Philosophy of Right* can overcome the lure of abstraction once and for all, and it can do so precisely by reminding us that can survive every genuine problem for our form of ethical living.

¹⁸⁹ Apel (2004), 64.

¹⁹⁰ Ibid.

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